



കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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2024 ഡിസംബർ 30
30th December 2024

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നമ്പർ
No. 4114

GOVERNMENT OF KERALA

Taxes (H) Department

NOTIFICATION

G.O.(P) No. 177/2024/TAXES.

Dated, Thiruvananthapuram, 24th December, 2024

9th Dhanu, 1200.

S. R. O. No. 1197/2024

In exercise of the powers conferred by sub-section (1) and (2) of section 12 of the Lotteries (Regulation) Act, 1998 (Central Act 17 of 1998), the Government of Kerala hereby make the following rules further to amend the Kerala Paper Lotteries (Regulation) Rules, 2005 issued by notification under G.O.(P) No.65/2005/TD dated 20th April 2005 and published as S.R.O. No. 372/2005 in the Kerala Gazette Extraordinary No.823 dated 20th April 2005, namely: -



RULES

1. Short title and commencement. – (1) These rules may be called the Kerala Paper Lotteries (Regulation) Amendment Rules, 2024.

(2) Save as provided in these rules, -

(a) clauses (j) and (k) of sub-rule (1), clause(h) of sub-rule (4), and clause(f) of sub-rule (7) of rule 2 shall come into force on such date, as the government may by notification in the official Gazette, appoint;

(b) the remaining provisions of these rules shall come into force at once.

Provided that, different dates may be appointed for different provisions of this rule and any reference in any such provision to the commencement of these rules shall be construed as a reference to the coming into force of that provision.

2. Amendment of the Rules – In the Kerala Paper Lotteries (Regulation) Rules, 2005, -

(1) in rule 2, -

(a) for sub-rule (2), the following sub-rules shall be substituted, namely: -

“(2) ‘*Agent or Agency*’ means an individual, partnership firm, body corporate, or any other legal entity under the law, so appointed by the Director or an officer subordinate to him who is authorised by the Director for this purpose, based on the terms and conditions set forth through an agreement, under these rules, to sell Kerala Lottery Tickets;

(2A) ‘*Agreement*’ means the agreement entered into between the Agent or Agency and the Department.

(b) after sub-rule (2), the following sub-rule shall be inserted, namely: -

“(2B) ‘*Communication Device*’, ‘*computer*’ and ‘*computer system*’ shall have the same meaning as assigned to it respectively in sub-section (1) (ha), (i) and (l) of section 2 of the Information Technology Act 2000, (Central Act 21 of 2000);”

(c) after sub-rule (3A), the following sub-rule shall be inserted, namely: -

“(3B) ‘*Department*’ means the Kerala State Lotteries Department;”

(d) for sub-rule (4), the following sub-rule shall be substituted, namely: -

“(4) ‘*Director*’ means Director of the Kerala State Lotteries Department;”

(e) after sub-rule (4), the following sub-rule shall be inserted, namely: -

“(4A) ‘*Disposal Authority*’ means an officer under sub-rule (20A) (iii)(c) of rule 56 of the Kerala Goods and Services Tax Rules, 2017;”

(f) in sub-rule (5), the word ‘Revenue’ shall be omitted;



(g) for sub-rule (6), the following sub-rule shall be substituted, namely: -

“(6) ‘*Draw*’ means a method by which the prizewinning numbers are drawn for each lottery or lottery scheme by operating the draw machine or any other mechanical method based on random technology, which is also visibly transparent to the viewers;”

(h) (i) the existing sub-rule 6A shall be renumbered as 6C;

(ii) before sub-rule 6C so renumbered, the following sub-rules shall be inserted, namely

“(6A) ‘*Electronic form*’ shall have the same meaning as assigned to it in sub-section 1(r) of section 2 of the Information Technology Act 2000, (Central Act 21 of 2000);

“(6B) ‘*Electronic record*’ shall have the same meaning as assigned to it in sub-section 1(t) of section 2 of the Information Technology Act 2000, (Central Act 21 of 2000);”

(i) after sub-rule (8), the following sub-rules shall be inserted, namely: -

“(8A) ‘*Joint claim*’ means a claim for prize money of a winning ticket number raised jointly by more than one person who shared the price of the ticket while purchasing it;

(8B) ‘*Lottery sub office*’ means a lottery office under the administrative control of the District Lottery Office for conducting sales and allied functions having the jurisdiction of any geographical area as may be specified by the Government;

(8C) ‘*Lottery sub officer*’ means the officer in charge of the Lottery sub office.”

(8D) ‘*Notary*’ means a person appointed as such under the Notaries Act, 1952 (Central Act 53 of 1952) and has a valid Certificate of Practice under Section 5(1)(b) of the said Act;”

(j) for existing sub-rules (9) and (10), the following sub-rules shall be substituted namely: -

“(9). ‘*Paper Lottery*’ means any lottery conducted in accordance with the Lotteries (Regulation) Act, 1998, other than an on-line lottery;

(9A). ‘*Sales permit*’ means a permit issued by the Director, or an officer subordinate to him duly authorised by the Director on this behalf, to any person other than an agent, which shall be valid for a period that may be specified by the Director, to sell tickets of Kerala Lottery within the State of Kerala on condition that he shall abide by all the conditions stipulated in the agreement between agents and Director;

(10). ‘*Seller*’ means any person who holds a sales permit in FORM II;

(10A). ‘*Sole Distributor*’ means any Government agency/Government Board/Government organisation appointed under the rules to function as the sole distributor of Kerala Lottery at the first point of sale.”

(k) after sub-rule (10A), the following sub-rule shall be added, namely: -



“(11). ‘social media intermediary’ shall have the same meaning as assigned to it in sub-rule 1(w) of Rule 2 of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.”.

(2) in rule 3, -

(a) in sub-rule (1), for the word “decide” the word “specify” shall be substituted.

(b) in sub-rule (2), after the words “other important details” the words “as may be specified by the Director,” shall be inserted;

(c) after sub-rule (2), the following sub-rule shall be inserted, namely: -

“(2A) Every lottery ticket shall have such security features embedded in it, as may be specified by the Director from time to time.”

(d) for sub-rule (4), the following sub-rule shall be substituted, namely: -

“(4) Any information to the ticket purchaser and such other essential details of the lottery, as may be specified by the Director shall be printed in English and/or in Malayalam on the reverse side of the ticket and the remaining space on the reverse side of the ticket shall be utilized for advertisement purpose.”

(e) in sub-rule (5), for the words “shall be decided by the Director” the words “shall be decided by the Government” shall be substituted.

(f) for sub-rule (6), the following sub-rule shall be substituted, namely: -

“(6) The rate of discount on sales and agency commission on prizes shall be fixed by the Government from time to time.”

(g) after sub-rule (6), the following sub-rules shall be inserted, namely: -

“(6A) The Director is empowered to postpone any draw and shall inform the Government of such postponement, forthwith.

(6B) The Government may cancel any Lottery scheme or draw already announced, in case of exigencies.”

(h) in sub-rule (7), after the words “shall be printed at” the word “the” shall be inserted.

(i) for sub-rule (8), the following sub-rule shall be substituted, namely: -

“(8) The Department shall print the tickets as per the scheme notified by the Government at one stretch, or in batches, based on the need and convenience. The tickets shall bear the imprint and logo of the State Government ensuring the authenticity of the ticket.”;

(j) after sub-rule (8), the following sub-rule and proviso shall be inserted, namely: -

“(8A) The Director shall decide the total number of tickets to be distributed to the District Lottery Offices and Lottery Sub offices or Agents, even in case of distribution by the



Sole Distributor, based on demand, the capacity of the printing press, administrative convenience, and any other relevant factors, as may be deemed necessary, from time to time;

Provided, that the power to decide the total number of tickets to be issued to an agent may be delegated by the Director, either wholly or partly, to an officer subordinate to him.”

(k) for sub-rule (9), the following sub-rule shall be substituted, namely: -

“(9) The Director shall give instructions to ensure the security of the lottery tickets at any stage including printing. The Director either directly or through officers authorized by him, shall inspect any place where the lottery tickets are printed or stored.”

(l) for sub-rule (10), the following sub-rule shall be substituted, namely: -

“(10) The records of the tickets printed, tickets issued for sale, tickets sold, tickets which remain unsold at the time of the draw, the prize-winning tickets along with the amount of prize or prizes in respect of each draw, and any other details as may be specified by the Director shall be maintained by the Department as electronic records.”

(3) in rule 4, -

(a) in sub-rule (1), the words “in accordance with the provisions of the Act” shall be omitted;

(b) for sub-rule (2), the following sub-rule shall be substituted, namely: -

“(2) The Director or an officer authorized by the Director may appoint an agent, based on the agreement in FORM III, for the sale of Kerala Paper Lottery Tickets.

(c) after sub-rule (2), the following sub-rules shall be inserted, namely: -

“(2A) No individual, entity, or organization shall organize, conduct, sell, promote, or facilitate any lottery, in any form, within the jurisdiction of the State, except as authorized by the Government.

(2B) Whoever contravenes the provisions of sub-rule (2A), shall be punishable with rigorous imprisonment for a term which may extend to two years, or with a fine or with both, as provided under section 7(3) or section 8, as the case may be, of the Act.”

(d) for sub-rule (3), the following sub-rule shall be substituted, namely: -

“(3) The Director may appoint a sole distributor, selected through a procedure established by Law, which may be specified by the Government, for the sale of Kerala State Lotteries in other States in India that are not lottery-free zones;

Provided, the Government shall decide the State or States/ Union Territories in which Kerala State Lotteries may be marketed.”

(4) in rule 5, -

(a) for sub-rule (1), the following sub-rule shall be substituted, namely: -



“(1) Any person, having proof of address evidences that he/she is residing in the State of Kerala, and is desirous of obtaining an agency for the sale of Kerala Lottery, may apply in FORM IV, after entering into an agreement in FORM III, to the District Lottery Officer/Lottery Sub Officer by remitting a fee as may be specified by the Director from time to time. The agency will be valid only for a period of two years from the date of grant of it.

Provided that the agency can be renewed for further periods, two years at a time, on payment of the renewal fee as may be specified by the Director from time to time, and such renewal application may be submitted three months before the expiry of the agency, in FORM IV.

Provided also that a person whose agency has been terminated for want of renewal can also renew his agency within a period of one year of expiry, provided he shall remit a fine in addition to the renewal fee as may be specified by the Director and on submission of an application in FORM IV.”

(b) for sub-rule (2), the following sub-rule shall be substituted, namely: -

“(2) In the case of fresh registration or renewal, the agent shall be required to purchase a minimum number of tickets as may be specified by the Director from time to time.”

(c) sub-rule (3), shall be omitted.

(d) for sub-rule (4), the following sub-rule shall be substituted, namely: -

“(4) Identity card shall be issued to every agent either in electronic form or in physical form with a unique registration number. The physical Identity card shall be issued on payment of a fee of Rs.150/-.”

(e) for sub-rule (5), the following sub-rule shall be substituted, namely: -

“(5) The Director shall have the power to suspend an agency, pending inquiry if it is reasonably felt that the agent or seller is acting in contravention of any of the provisions of the Act or the Rules made thereunder or is indulging in any act of commission or omission in any form which is detrimental to the interest of Kerala State Lotteries or the public interest or public tranquillity. The suspension shall be revoked automatically upon expiry of 60 days unless the agent has been served a show cause notice demanding reason as to why the agency should not be cancelled as per rule (5a).”

(f) after sub-rule (5), the following sub-rule shall be inserted, namely: -

“(5a) The Director shall also have the power to cancel an agency if it is found on inquiry that the agent or seller is acting in contravention of any of the provisions of the Act or the Rules made thereunder or is indulging in any act of commission or omission in any form which is detrimental to the interest of Kerala State Lotteries or the public interest or public tranquillity. Provided that no such agency shall be cancelled without giving the agent concerned an opportunity of being heard.”

(g) in sub-rule (6), for the words, number, symbol and bracket “sub-rule (5)”, the words, number, symbol and bracket “sub-rule (5a)” shall be substituted.



(h) after sub-rule (6), the following sub-rule shall be inserted, namely: -

“(7) If a seller fails to comply with any of the provisions of the Act, Rules or orders issued either by the Government or by the Director, or if he is found to indulge in any act of commission or omission in any form which is detrimental to the interest of Kerala State Lotteries or the public interest or public tranquility, the Director may by an order in writing rescind the sales permit issued under these rules”

(5) in rule 6, -

(a) for sub-rule (1), the following sub-rule shall be substituted, namely: -

“(1) An agent may sell lottery tickets with the aid of any number of sellers. The agent shall be responsible for proper compliance with the Act, Rules, Circulars, Notifications, Orders and other instructions issued by the Government and the Director from time to time, both by himself and by the sellers and other persons working under him. The agent shall also be liable to produce all particulars of sellers who purchased tickets from him, and other persons working under him, on demand by the Department.”

(b) for sub-rule (2), the following sub-rule shall be substituted, namely: -

“(2) No person shall sell Kerala Lottery Tickets or any of its numbers, in any combination, in any form including images of it, through any communication device, computer or computer system or through any social media intermediary. Only the sale of Kerala lottery tickets in its original printed form is permitted.

(c) after sub-rule (2), the following sub-rule shall be inserted, namely: -

“(2a) Whoever contravenes the provisions of sub-rule (2), shall be punishable under sub-section (3) of section 7 of the Act”

(d) for sub-rule (3), the following sub-rule shall be substituted, namely: -

“(3) No agent or seller shall sell lottery tickets to the public, below or above its face value.”

(e) for sub-rule (5), the following sub-rule shall be substituted, namely: -

“(5) Lottery tickets shall be delivered to the seller or the general public immediately upon receipt of the cost of the ticket.”

(f) for sub-rules (7) and (8), the following sub-rule shall be substituted namely;-

“(7) No person including an agent or seller shall combine their schemes on products, goods, or services, or any movable or immovable property, with the sale of lotteries or vice versa, for any reason whatsoever, except as may be permitted by the Director.”

(6) in rule 6A, the following words shall be omitted, namely: -

“and also collect the Service Tax liability of agents from their commission and remit it to the Department concerned. He shall also file returns of service tax or other taxes and



follow the statutory requirements as deemed necessary, from time to time.”.

(7) in rule 7, -

(a) for sub-rule (1), the following sub-rule shall be substituted, namely: -

“(1) Lottery tickets shall be distributed through the sole distributor who will, in turn, sell it to agents after making such agency discount on the face value as may be decided by the Government from time to time. Tickets will be sold to agents either on cash payment or against exchange of prized tickets or by e-payment in favour of the District Lottery Officer/ Lottery Sub Officer or by credit against bank guarantee. Lottery tickets of particular schemes, which the Director may specify by order, may be sold on credit against Bank Guarantee subject to the following conditions -

i. The Bank guarantee should be that of a Nationalized Bank/Scheduled- commercial bank/ Kerala Bank/ Urban cooperative bank. The Director/ District Lottery Officer/ Lottery Sub Officer shall revoke/review such Bank guarantee on or before the due date;

ii. 90% credit sales shall be allowed to an agent for the purchase of lottery tickets of a maximum amount of rupees Fifty Lakhs and a minimum amount of rupees fifty thousand from each District Lottery Office/ lottery sub-office after placing adequate bank guarantee as may be specified by the Director;

iii. The agents shall settle the full amount at any time before the day of closing of accounts of a particular draw in the District Lottery Office/Lottery Sub Office or within such time as may be decided by the Director from time to time;

iv. If the agents fail to settle the dues within the prescribed time, the District Lottery Officer/ Lottery Sub Officer shall recover the dues from the agents by encashing the Bank guarantee. The agents shall have to pay an interest at the rate of 18% simple interest per annum, for the period of delay in realizing the amount from the Bank. The amount of interest shall be deducted from the agents’ claims or the Bank Guarantee;

v. The Government or Director shall recover dues, if any, by way of revenue recovery or by resorting to any other legal proceedings established by law;

vi. The facility for the purchase of tickets on Bank guarantee by an agent shall be forfeited in case of agents who fail to clear their dues on time;”

(b) sub-rule (2a) and sub-rule (3) shall be omitted.

(c) for sub-rule (5), the following sub-rule shall be substituted namely: -

“(5) The details of stock and the issue of the lottery tickets shall be maintained by the department as electronic records.”

(d) for sub-rule (6), the following sub-rule shall be substituted, namely: -

“(6) Tickets shall be issued to an agent only from the respective district of registration. However, the Director may permit the purchase of tickets from other districts subject to conditions as may be specified by the Director.”



(e) for sub-rule (7), the following sub-rule shall be substituted, namely: -

“(7) Director is entitled to dispose of the unsold tickets, after having them verified by the Disposal Authority, at the appropriate time, as per the conditions prescribed by the Government from time to time and the details of such tickets shall be retained as electronic records.”

(f) after sub-rule (7), the following sub-rule shall be inserted namely: -

“(8) The Kerala lottery tickets shall only be sold to the public by the agents/agencies and sellers. If any person who is neither an agent nor a seller is found selling Kerala lottery tickets, the tickets found to be in possession with them shall be liable to confiscation by the enforcement agency and they shall be punishable under sub-section 3 of section 7 of the Act. Any prize and agent prize won by such confiscated tickets shall be forfeited.”

(8) in rule 8, -

(a) for sub-rule (1), the following sub-rule shall be substituted, namely: -

“(1) The draw of each Lottery shall be conducted within the State of Kerala, as per the scheme announced and notified in the Official Gazette, for the particular lottery.”

(b) for sub-rule (2), the following sub-rule shall be substituted, namely: -

“(2) Draw shall be conducted, at a time as may be decided by the Director, and announced in advance, under the supervision of a panel of Judges not below three members, including a Chairman, as may be decided by the Director.”

(c) for sub-rule (3), the following sub-rule shall be substituted, namely: -

“(3) The Chairman and panel members shall consist of reputed and prominent persons. The quorum of the panel of judges to conduct the draw shall not be less than three. The Director or the Officer authorized by him may co-opt the required number of suitable persons from among the audience in order to fill the quorum of three, in case of contingencies. If the Chairman himself is unable to be present for the draw due to unavoidable reasons, one among the remaining judges present shall be elected to be the Chairman by the judges themselves. The majority decision of the judges present shall be final in respect of all matters connected with the draw.”

(d) for sub-rule (5), the following sub-rule shall be substituted, namely: -

“(5) The supervisory officer, in sub-rule (4), shall authenticate the results of every draw. The result of the draw shall be published at least in one national and two state-level newspapers, out of which one shall be in English, as well as in the Kerala Government Official Gazette and on the official website of the Kerala State Lotteries Department. The result may also be published in the official social media platforms of the Department.”

(e) In sub-rule (6), after the words “the date of the draw” the words “on valid grounds” shall be omitted.

(9) in rule 9, -



(a) for sub-rule (2), the following sub-rule shall be substituted, namely: -

“(2) The payment of prize money shall be by electronic transfer/Exchange of Tickets/ or by cash, as the case may be, after deducting such amounts required under any law prevailing.”

(b) for sub-rule (3), the following sub-rule and provisos shall be substituted, namely: -

“(3) (a) The prize-winning tickets, in original, shall be surrendered before the Director/ District Lottery Officer/Lottery Sub officer, as the case may be, within 90 days from the date of the draw, along with duly filled FORM V either directly or through Nationalized Bank/Scheduled Commercial Banks/Kerala Bank/Urban Cooperative Bank.

Provided that for prizes below rupees ten thousand, FORM V need not be submitted.

(b) The reverse side of the prized ticket shall bear the details of the claimant, in the space provided for it. In case of joint claims, the prize money shall be disbursed, on submission of an affidavit in FORM VI duly attested by a Notary.

(c) Prize claims up to and including ten thousand rupees shall be sanctioned by the junior superintendent. Prize claims above ten thousand up to and including ten lakh rupees shall be sanctioned by the District Lottery Officer/Lottery Sub Officer. Prize claim above rupees ten lakhs and up to and including rupees one crore shall be sanctioned by the Deputy Director of Lotteries. Prize claims above rupees one crore and up to and including rupees five crores shall be sanctioned by the Joint Director of Lotteries and those above rupees five crores, by the Director.

(d) Claims on the agent’s commission and incentive to the agents shall be submitted within 90 days from the date of draw.

Provided also that, Authorization of the Prize winner shall also be provided if the tickets are surrendered through a bank;

Provided further that in case of a prize winner from outside the state, in addition to the above, an affidavit in FORM VII, sworn in before and duly attested by a Notary, shall also be submitted.”.

(c) for sub-rule (4), the following sub-rule shall be substituted, namely: -

“(4) The lottery Director shall publish the name, photo, and other details of any lottery winner/agent/seller deemed necessary for publicity.”

(d) for sub-rule (5), the following sub-rule shall be substituted, namely: -

“(5) The agents may collect prized tickets, upto a prize value that may be specified by the Director from time to time, from prize winners after making prize payment, and present them before the District Lottery Office/Lottery Sub Office within ninety days from the date of draw for reimbursement of the prize money paid to each winner. Reimbursement may be allowed as new tickets for sale or as cash or it may be credited through e-payment services.”



(e) for sub-rule (7), the following sub-rule shall be substituted, namely: -

“(7) Statutory deductions shall be made from prize claims as per law prevailing.”

(f) for sub-rule (8), the following sub-rule shall be substituted, namely: -

“(8) Prize money shall be disbursed after ascertaining the genuineness of the Prize ticket by verifying the security features embedded in the tickets.”;

(g) after sub-rule (8), the following sub-rules shall be inserted, namely: -

“(8a) In case of a joint claim, the prize money will be disbursed to the Bank account of each prize winner based on the affidavit as prescribed in sub-rule (3), submitted by the winners. In such a claim, prize winners shall submit all the documents under sub-rule (3) separately.

(8b) On the death of the prize winner after the submission of the prize claim to the department, but before the prize amount is disbursed, and the department is informed of the death of the winner, then the prize amount shall be disbursed to the Bank account of the legal heirs of the deceased, upon production of such documents as may be decided by the department from time to time.”;

(h) for sub-rule (9), the following sub-rule shall be substituted, namely: -

“(9) The prize-winning ticket in original shall be surrendered to the Director/JointDirector/DeputyDirector/DistrictLotteryOfficer/Lottery Sub Officer as the case may be, in good condition. Tampered or mutilated tickets will be rejected. The officer passing the prize claim shall ascertain the genuineness of the tickets before disbursing the amount of each claim. In case of torn/mutilated tickets or for prizes above rupees ten thousand, if the genuineness of the ticket is in doubt and the claim is established by the passing officer, such claim shall be passed for payment after obtaining an affidavit in FORM VIII, from the prize winner.

In cases of serious doubts about the genuineness of the ticket, a report from the security lab shall be resorted to, by the officer passing the prize claim, before the payment of prize money. The fee for the verification needed for the forensic lab report, if any, shall be borne by the prize winner himself in advance. Upon finding it as a forged ticket, criminal proceedings may be initiated by the Department against the person who presented such ticket before the Department.”

(i) for sub-rule (10), the following sub-rule shall be substituted, namely: -

“(10) Prizes and prize money which are not claimed within a period of ninety days from the date of the draw shall not be disbursed;

Provided that in the event of a delayed claim amounting to or exceeding one lakh rupees, which is submitted within sixty days following the expiration of the aforementioned prescribed period, the Government, after examining the reasons for the delay in submission in each case, may, at its discretion, sanction the prize claim”



(10) after rule 9A, the following rule shall be inserted-

“9B. Seizure Procedure. - (1) No lottery ticket shall be sold in the State in violation of the Lotteries (Regulation) Act, 1998, the rules made thereunder, the circulars, or the instructions issued by the Government or the Director.

(2) The enforcement agency shall seize any tickets found to be sold or proposed to be sold in violation of sub-rule (1) above.

(3) The enforcement agency shall thereafter report the matter to the Director for appropriate action in case the accused is a lottery agent along with a copy of the seizure Mahazar.

(4) The enforcement agency shall initiate appropriate proceedings under the Lotteries (Regulation) Act, 1998, in all cases regardless of whether the accused is an agent or seller.

(5) All prize amounts and agent prize amounts that are won by the seized tickets shall stand forfeited.”

(11) for forms I, II, III, IV, V, VI and VII the following forms I, II, III, IV, V, VI and VII shall be ‘substituted’ namely: -



FORM-I

Application form for Sales Permit under Kerala Lotteries (Regulation) Rules, 2005
[See rule 2 (9A)]

Photo

- (1) Name & Permanent Address: (With Post office, District & State)
- (2) Communication Address:
- (3) Mobile Phone No:
- (4) Land Line number if any:
- (5) Name of Father/Mother:
- (6) Date of Birth & Age: (Document to prove age shall be attached)
- (7) Present Occupation:
- (8) Mode of Paper Lottery Ticket sale :
 - i. Own Shop
 - ii. Rented Shop
 - iii. Kiosk
 - iv. Through Vehicle
 - v. Pedestrian sale
- (9) Physical condition: Normal/Differently abled/Blind
- (10) PAN Number:
- (11) Aadhaar Number:
- (12) Welfare Membership Number: Yes/No
- (13) Educational Qualification: Below Matriculation/Above matriculation/others
- (14) Bank Account Number:
- (15) Name of the Bank and Branch with IFSC details

DECLARATION

I hereby agree and undertake to abide by the conditions in the agreement set forth by the agent from whom I purchase tickets and shall abide by all orders, directions or instructions issued by the Director of State lotteries in this regard from time to time.

Place:

Date:

Signature of Applicant:

For office use only

Permit Number Allotted:

Date of issue :

Name and Signature of Officer:



FORM II
KERALA LOTTERY PERMIT
[See rule 2 (10)]

Photo

Name:

Address:

Mobile No:

Date of Birth:

Age:

Sex:

KSLA & SWFB membership number:

Permit No.....

Signature/Thumb impression of the seller

Signed by: Authorised officer



FORM III
AGREEMENT WITH AGENT
[See rule 4 (2)]

This agreement made on this day the..... of..... month.....year

At Thiruvananthapuram between the Governor of Kerala represented by the Director of State Lotteries, Vikas Bhavan, Thiruvananthapuram (hereinafter referred to as Government) which expression shall unless excluded by or repugnant to the context or meaning thereof be deemed to mean and include his successor in office or assigns of the first part.

AND Shri/M/s..... of the second part (hereinafter referred to as Agent)

WHEREAS, the Government organizes, conducts, and promotes State Lotteries in accordance with the provisions as contained in the Lotteries (Regulation) Act 1998, (Central Act 17 of 1998), and the Rules made there under;

AND WHEREAS the Government have decided to appoint agents for the purchase and sale of Kerala paper Lottery Tickets in adherence to the rules framed by the State Government;

AND WHEREAS the Government and the agent have decided to enter into an agreement as stipulated in the Lotteries (Regulation) Rules, 2010;

NOW, THEREFORE THIS AGREEMENT WITNESSETH AND THE PARTIES HERETO MUTUALLY AGREE AS FOLLOWS

1. Definitions:

In this agreement, unless the context otherwise requires: -

- (a) 'Act' means the Lotteries (Regulation) Act 1998(Central Act No. 17 of 1998)
- (b) 'Rules' means the Lotteries (Regulation) Rules 2010 or the Kerala Paper Lotteries (Regulation) Rules 2005, as the case may be.
- (c) Words and expressions used but not defined herein shall have the same meanings as respectively assigned to them in the Act and the Rules.

2. Terms and conditions:

- (a) The Government and the Agent shall be jointly and severally liable to ensure that all provisions of the Act and Rules are followed.
- (b) The Government shall appoint the agent after the registration of the agency in his/her name for the purchase and sale of Kerala Paper Lottery Tickets as per the provisions of the Act and the Rules.
- (c) The appointment of the agent is non-transferable and shall continue to be valid till the expiry of the registration.



- (d) All the directions, circulars, notifications, and instructions issued by the Government and The Director of State Lotteries Department shall be binding on the agents and any contravention shall result in cancellation of the Agency. Any contravention of the provisions contained in the Act and rules made thereunder also shall result in the cancellation of the Agency.
- (e) It shall be the responsibility of the Agent to ensure that his sellers adhere to the provisions of the Act, Rules, directions, circulars, notifications, and instructions issued by the Government and The Director of the State Lotteries Department.
- (f) It shall be the responsibility of the Agent to ensure that his sellers adhere to all procedures, regulations, etc. along with the conditions stipulated in this agreement.
- (g) The agent shall ensure that the Kerala Lottery tickets are not sold in States/UTs which do not organize lotteries of their own.
- (h) The agents shall not sell any other lotteries apart from Kerala State Lottery.
- (i) Agents shall ensure that no sellers who sell tickets purchased from the agent are engaged in the sale of any other lottery other than the Kerala State Lottery.
- (j) Agents or their representatives visiting lottery offices shall behave properly and not engage in any action vitiating the tranquility of the office ambience
- (k) The Agents or their staff/authorized persons shall not behave in any manner that is detrimental to public interest or brings disrepute to the Kerala State Lottery.
- (l) In case of any amendment to any Act or Rules or a decision of a competent court bringing a change in the lottery conduct, earnest efforts shall be made by both parties to modify the operation of Kerala Lotteries in accordance with such change.
- (m) Notwithstanding the above clauses, the Department reserves the right to rescind the agreement with the agent as per the procedure laid down in these rules

3. Settlement of disputes:

The validity and interpretation of this agreement shall be governed by Indian laws, and Courts located at Thiruvananthapuram alone shall have jurisdiction to try any matter relating to this agreement. This agreement shall come into force after it has been signed by both parties and shall remain in force for a period of two years. If any provision of this agreement is declared void or unenforceable, the agreement and the remaining clauses of the agreement shall remain in full force and effect.

4. Force Majeure:

If at any time during the course of the agreement, it shall become impossible for any of the parties to perform any of their obligations for reasons of force majeure whereupon the



party giving notice shall be relieved from such obligation as long as force majeure conditions persists.

IN WITNESS WHEREOF the parties to these present hereunto executed these presents on the day, month and year first above written.

1. Name, Address and Signature:

2. Name, Address and Signature:

Witness: 1.

2.



FORM-IV

Application form for Agency Registration/Renewal under Kerala Lotteries (Regulation)

Rules 2005

[See rule 5(1)]

Photo

- (1) (Name & Permanent Address:(With Post office, District & State)
- (2) Communication Address:
- (3) Mobile Phone No:
- (4) Land Line number if any:
- (5) Name of Father/Mother:
- (6) Date of Birth & Age: (Document to prove age shall be attached)
- (7) Present Occupation:
- (8) Mode of Paper Lottery Ticket sale :
 - i. Own Shop
 - ii. Rented Shop
 - iii. Kiosk
 - iv. Through Vehicle
 - v. Pedestrian sale
- (9) Amount Remitted (In figures and words):
- (10) Office where the agency is registered:
- (11) Physical condition: Normal/Differently abled/Blind
- (12) Category of Agency: Permanent
- (13) PAN Number:
- (14) Aadhaar Number:
- (15) Welfare Membership Number: Yes/No
- (16) Educational Qualification: Below Matriculation/Above matriculation/others
- (17) Bank Account Number:
- (18) Name of The Bank and Branch with IFSC details:

DECLARATION

I hereby agree and undertake to abide by the conditions of the agency as stipulated in the Kerala State (Lotteries) Regulation Rules 2005 and also agree to abide by all orders, directions or instructions issued by authorities in this regard from time to time.

Place:

Date:

Signature of Applicant:

For office use only

Agency Number Allotted: Date of issue:

Amount Remitted:

Name and Signature of Officer issued agency:



FORM V
Application form for claiming Prize money above Rs.10000/-
[See rule 9(3)]

- (a) Prize-winning Lottery Ticket (Draw Name & Number) ... Ticket Number.....
- (b) Mode of Prize-winning Ticket presentation (in person/by post/through bank)
if through a bank
 (a) Name of the Bank:
 (b) Branch:
- (c) Details of the winner
 i. Name of the Prize Winner:
 ii. Address:
 iii. Phone Number:
 iv. PAN:
 v. Aadhaar number:
- (d) Whether the prize winner is a Kerala Lottery Agent: Yes/No
(If 'Yes', agency number:)
- (e) Details of the Bank where the prize money is to be deposited
 (a) Name of Bank and Branch :
 (b) Bank account number:
 (c) IFSC Code:

(In case this form is not submitted electronically through the specified portal for the purpose, then a passport-size photo and self-attested copy of PAN, Aadhaar and Bank Passbook may be furnished along with the prize-winning ticket.)

(In case the claim is a joint claim then this form shall be filed separately by all of the winners and FORM VI may be submitted along with the original ticket.)

(In case the claim is made by a person from outside the State of Kerala (as per Aadhaar address) then FORM VII may be submitted along with the original ticket.)

DECLARATION

I hereby declare that the details submitted above are true to the best of my knowledge;

I hereby declare that I have filled in the details on the reverse of the ticket;

Authorization (If the winning ticket is presented through a bank): I hereby request and



authorise the Director of State Lotteries to pay the Prize amount to the above-mentioned branch of the bank on demand. For this purpose, any discharge by the said bank on my behalf shall constitute a valid one and irrecoverable from your side. Further, I also affirm that this authorization shall not be a revocable one.

Winner's signature



FORM VI
JOINT CLAIM
[see rule 9 (3)]

We the undersigned hereunder do hereby solemnly affirm and state on oath as follows:

That we together have purchased(Name of Lottery) Kerala Paper Lottery ticket series, bearing number.....;

That our Bank Account details are provided below and we are in an agreement to share the entire prize amount received from the Lottery department among us in the ratio provided here under;

Sl. No	Name	Address	Aadhaar No.	Bank Account No. and IFSC	PAN	Form V number (If submitted electronically through the specified portal)	Percentage Share of winning amount

That we agree to deduct the statutory deductions from each of us, in proportion to our share of the prize amount;

That in case of any future liability arises in connection with this claim we shall be jointly and severally liable for the same.

DECLARATION

We the undersigned solemn affirmation and oath state that all the facts stated above are correct to the best of our knowledge and belief and nothing is false or concealed. The contents being true we swear this affidavit.

Names and Signature of Deponents

1.....
2.....
3.....



Solemnly affirmed and signed at my office on this day the.....

Notary Name:

Seal and Reg. No. :



FORM VII
AFFIDAVIT BY PRIZE WINNERS FROM OUTSIDE THE STATE OF KERALA
[See rule 9(3)]

I/we.....
..... (Name and Permanent Address of each person) having
Aadhaar Numbers Son/Daughter of
(respectively) Do hereby solemnly affirm and State on oath as under:

- a) That I/we am/are now residing at (Present Address);
- b) That I/we have purchased (Name of
lottery) Kerala Paper Lottery ticket of..... series bearing number
- c) That the above ticket was purchased from an Agent/Seller of Kerala Paper Lottery Ticket;
- d) That the above ticket won the.....^{th/st/rd} prize in the draw held on and I/we claim the prize money;
- e) That in case, in future, if the Lottery Department or any other legal entities find this as an illegal claim, I/we am/are solely responsible for it and that I/we am/are fully aware that legal actions as per law established shall be taken up.

DECLARATION

I/we (Name and address) on solemn affirmation and oath state that all the facts stated above are correct to the best of my/our knowledge and belief and nothing is false or concealed. The contents being true I/we swear this affidavit.

Name of the Deponents

Verified with the Aadhaar and Solemnly affirmed at my office on this day the.....

Notary Name, Seal and Reg. No.



FORM VIII
AFFIDAVIT ON SUBMISSION OF TORN /MUTILATED TICKETS ABOVE RUPEES
10,000/-
(To be submitted by the prize winner)
[See rule 9 (9)]

I, [Name], residing at [Address], solemnly affirm and declare the following facts to be true and correct to the best of my knowledge and belief:

I am the rightful owner of a lottery ticket bearing the number [Lottery Ticket Number]. The said lottery ticket was purchased by me from an authorized agent of the Kerala Lottery.

On [Date of Incident], I accidentally caused damage to the aforementioned lottery ticket, resulting in tearing and other visible damages.

I affirm that the lottery ticket in question was obtained through legal means, from an authorized agent, and is genuine.

I further declare that the damage inflicted upon the lottery ticket was purely accidental and unintentional.

I acknowledge and understand that the damaged state of the lottery ticket may affect its eligibility for any prize associated with the ticket.

I hereby acknowledge and declare that in the event the lottery ticket is found to be fake or ineligible for any prize, I am ready and willing to remit back the prize money disbursed to me, if any, promptly and in full.

I affirm that I am presenting the damaged lottery ticket for examination and verification, and I request the necessary authorities to consider its genuineness despite the damages incurred.

I acknowledge that providing false or misleading information in this affidavit may lead to legal consequences, and I affirm that the information provided herein is true and accurate to the best of my knowledge.

Sworn before me this [Day] day of [Month], [Year].

[Name]

[Signature]

(Name and signature of all claimants may be provided)”

By order of the Governor,

DR.A.JAYATHILAK

Additional Chief Secretary to Government.



Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport)

It has come to the notice of the Government that several activities to carry out the functions of the Department have changed after the deployment of Information Technology enabled services in different areas of the paper lottery business. Many of the business processes have been modernized and effective steps have been taken for the regulation of lottery conduct in the State. Accordingly, it is incumbent on the Government to modify the existing rules to accommodate the changes effected in the business transaction of the Department subsequent to the easing of business transactions by employing mechanization as well as by implementing further regulatory measures. Also, changes have been made to streamline procedures related to steps to be taken when violations of the Act are noticed. In order to achieve that end, the Government has decided to amend the Kerala Paper Lotteries (Regulation) Rules, 2005 issued by notification under G.O.(P) No: 65/2005/TD dated 20th April, 2005 and published as S.R.O.No.372/2005 in the Kerala Gazette Extraordinary No. 823 dated 20th April, 2005 suitably.

The notification is intended to achieve the above object.





KERALA GAZETTE

കേരള ഗസറ്റ്

EXTRAORDINARY

അസാധാരണ

PUBLISHED BY AUTHORITY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

Vol L	Thiruvananthapuram,	20th April 2005	No.	823
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	തിരുവനന്തപുരം	30th Chaithra 1927		
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GOVERNMENT OF KERALA

Taxes (H) Department

NOTIFICATION

G.O (P) No. 65/2005/TD

Dated, Thiruvananthapuram, 20th April, 2005

S.R.O. No. 372/2005- In exercise of the powers conferred by sub-section (1) and (2) of section 12 of the Lotteries (Regulation) Act 1998 (17 of 1998) the Government of Kerala hereby make the following rules, namely: -

RULES

1. *Short Title, Application and commencement.*—(1) These rules may be called the Kerala Paper Lotteries (Regulation) Rules, 2005.

(2) These rules extend to the whole of the State of Kerala.

(3) They shall come into force at once.

2. *Definitions.*—In these rules, unless the context otherwise requires:—

- (1) '*Act*' means the Lotteries (Regulation) Act, 1998 (Central Act 17 of 1998).
- (2) '*Agent or Agency*' means an individual, partnership or body corporate with a legal entity under any Act of the State or Central Government who is issued agency by the District Lottery Officer for the Sale of Lottery Tickets of the Government;
- (3) '*Agency discount*' means the amount or the percentage of discount allowed from time to time on the face value of the ticket at the point of sale;
- (4) '*Director*' means the Director of State Lotteries, Kerala;
- (5) '*District Lottery Officer*' means the District Lottery Officer of the Revenue District;
- (6) '*Draw*' means the method by which prize winning tickets are drawn for each lottery by operating draw machine manually/mechanically which generates numbers on a random methodology and where the operation of the randomness is visibly transparent to the viewers;
- (7) '*Form*' means the forms prescribed and appended to these rules;
- (8) '*Government*' means the Government of Kerala;
- (9) '*Paper lottery*' means any lottery conducted in accordance with the Lotteries (Regulation) Act 1998 other than On-line Lottery.

3. *Printing of Lottery Tickets*- (1) The Director shall obtain the model and design of the paper lottery tickets for each drop and get the same approved by Government before it is send for printing.

(2) The ticket shall bear the facsimile signature of the Secretary to Government of Kerala Taxes Department and shall contain name of lottery, draw number, date of draw, series and ticket number, cost of ticket and other important details on the front side of the tickets.

(3) There shall be a counterfoil for each ticket which shall contain the date of draw, the number of the draw and the ticket number.

(4) On the reverse side of the ticket there shall be printed in English and/or in Malayalam the prize pattern, terms and conditions and such other essential details which the Director considers necessary for the information of the purchaser.

(5) The series, the number of tickets to be printed in each series and the total number of tickets to be printed etc. shall be decided by Government.

(6) The Director shall be entitled to print ticket less than the quantity approved by the Government subject to requirements in one stretch or in batches as he deems fit and get his action ratified by Government.

(7) The lottery ticket shall be printed at Government Press or at any other high security press approved by the Government.

(8) Lottery ticket shall bear the imprint and logo of the State Government in a clear and visible manner.

(9) The Director shall be responsible for ensuring security in the printing of tickets. The Director shall frequently inspect the place of printing either personally or through any responsible officer authorised by him.

(10) The details of orders placed for the printing of tickets, the amount paid for the same, the date of receipt etc., shall be recorded in Form No. I.

4. *Conduct of lottery*:—(1) The Director of State Lotteries shall be responsible for the conduct of Kerala State Paper Lotteries in accordance with the provisions of the Act.

(2) The Director may appoint an agent or number of agents for the sales of paper lottery in the state subject to the provisions contained in the Act and the Rules.

5. *Grant, renewal and cancellation of agency*:—(1) Any person desirous of obtaining an agency for sale of lottery tickets may apply in Form No II to the District Lottery Officer by remitting a fee of rupees 400 (Rupees Four hundred only) in cash. The agency may be renewed for further calendar years by submitting application in Form No. II to the District Lottery Officer who granted the agency of payment of a renewal fee of Rs. 100 (rupees hundred rupees only) in cash. The agency which is not renewed by the end of the subsequent calendar year of grant of agency shall stand cancelled automatically by the end of such year in the event of such cancellation fresh application for agency has to be preferred. Provided that those persons who were continuing as agents of were having valid agency at the time of prohibiting sale of all lottery tickets in the State of Kerala vide notification No. G.O. (P)11/2005/TD. dated 27-1-2005 published as

S.R.O. No. 73/2005 in the Kerala Gazette Extraordinary No. 169 dated 27-1-2005 shall be deemed to have been granted agency under these rules. Such persons who had Limited fees prescribed under the then existing rules shall be deemed to have remitted such fees under these rules.

(2) Identity card shall be issued to every agent with district code number for each district. Duplicate card shall be issued on payment of Rs. 50 (Rupees fifty only) where the card is damaged or irrecoverably lost.

6. *Duties and Responsibilities of Lottery Agent*:—An Agent may sell lottery tickets through any number of sub-agent retailers and sellers appointed by him. He shall be responsible for the proper compliance of the Act and rules by the persons working under him. The agents are also be liable to keep and produce on demand all particulars of sub-agents, retailers and sellers under him for verification to the director or the District Lottery Officer or to any authorised Officer.

7. *Sale of Lottery Ticket*:— (1) Lottery tickets shall be sold to agents at the face value after making such agency discount as determined by Government. Tickets will be sold to agents either on cash payment or by exchange of prized ticket .

(2) The sale proceeds of tickets shall be credited to the general revenue of the State. The tickets once sold will not be taken back.

(3) Before issuing the tickets the seal of the office through which the tickets are sold shall be affixed on the reverse side of the ticket before sale, so as to get it impressed both on the ticket and on the counterfoil. The counterfoil shall be cut off and kept in the concerned officers from where the tickets were sold.

(4) Tickets of each lottery shall be released on such date as may be fixed by the Director.

(5) The stock and issue of the ticket shall be maintained in Forms Nos. III, IV and V.

(6) Tickets shall be issued only from the respective district of registration. However and agent who buys tickets worth face value of Rupees one lakh from his District of Registration will be allowed to purchase tickets from other district also based on the certificate /authorisation issued from the District of registration in Form No.VI.

(7) The unsold ticket shall be kept under safe custody after making 'V' cut on the number in the right side portion .The unsold tickets and the counterfoils of

the sold tickets shall be disposed as per the orders issued by the Government. The details of such ticket shall be recorded in a Register in Form No. VII.

8. *Conduct draw and results:*—(1) The draw of each lottery shall normally be conducted at Thiruvananthapuram or at any other place in the State has decided by Government.

(2) The Draw shall be conducted between 2:30 P.M. to 5:30 P.M. of the day under the supervision of a panel of Judges including a Chairman recommended by the Director and approved by the Government.

(3) The Chairman and panel members will consist of reputed and prominent person representing all sections of the society. The quorum of the panel of judges to conduct the draw shall not be less than three. The Director or the Officer authorised has the right to co-opt the required number of suitable persons from among the audience in order to fill the quorum of three in case of contingencies. If Chairman himself is unable to be present for the draw due to unavoidable reasons, one among the remaining judges present shall be elected to be the Chairman by the judges themselves. The majority decision of the judges present shall be final in respect of all matters connected with the draw.

(4) The Director shall manage and supervise the conduct of draw. However the Director may authorise any one of his subordinates not below the rank of Deputy Director of State Lotteries to manage and supervise the conduct of the draw.

(5) The Director or the authorised officer shall be responsible for conducting the draws and shall announce the results of the draw. The results of the draw shall also be arranged to be published in three or four leading newspapers the next day itself and in the Government Gazette.

(6) The Director shall subject to ratification by Government be entitled to postpone the date of draw on valid ground. The postponed date of draw shall be given wide publicity.

9. *Prize and Prize Claims:*—(1) The Government guarantees the payment of the prizes and prize amount offered on the lotteries.

(2) The payment of prize money may be in the form of demand draft/ exchange of Tickets/by cash as the case may be after deducting such amounts required under any agreement or under any law.

(3) The prize winners shall claim the prize amount either directly or by post or through banks. While presenting the claim, the prize winner shall affix his / her

name , address and signature on the reverse side of the prize ticket. Prize claims up to and including Rs. 5000 may be made before the District Lottery Officer. Prize claims up to Rs. One lakh shall be sanctioned by the officer authorised by the director. Prize claims above Rs. One lakh shall be made before the Director within 30 days from the date of draw. Agents prize, Incentive to the agents etc. should be claimed within three months from the date of draw. Prize winners shall present prize winning ticket along with the following documents,—

- (a) Stamped receipt in Form No. VIII
- (b) Recent passport size Photograph dully attested by Gazetted officer / Notary. (2 copies)
- (c) Duly attested photocopy of both sides of the prized ticket.
- (d) Attested copy of Passport / Ration card /Election Identity card/Driving license/ PAN card, to prove identity.
- (e) In addition to the documents mentioned above the following documents shall also be enclosed while surrendering the tickets through Bank,—
 - (i) Authorisation of Prize winner
 - (ii) Certificate of receiving bank
 - (iii) Certificate of collecting Bank

(4) The District Lottery Officers may condone delay of presenting of prize tickets up to 90 days from the date of draw. The Director may condone delay up to 180 days.

(5) The agents can collect prize tickets up to the amount of five thousand rupees from the prize winners and can present the same for payment. The collected tickets shall be presented within a period of 90 days from the date of the draw.

(6) No ticket shall be eligible for more than one prize in a draw. In any event of a ticket winning more than one prize in a draw, the ticket shall be eligible only for the highest prize declared to it.

(7) Income tax and surcharge will be deducted from the prize claims and remitted to Income Tax Department as per rules.

(8) Prize money shall be paid after ascertaining the genuineness of the Prize Ticket. However, payment of prize above Rs. 100 shall be made after matching it with the concerned counterfoil kept in the office.

Form No. II

APPLICATION FOR AGENCY RENEWAL OF AGENCY UNDER KERALA
LOTTERY RULES, 2005

[Vide Rule 5(1)]

1. Name and Postal address
(Name of Post Office,
District and State should
be clearly shown)
2. Name of Father /Mother
3. Age and Date of Birth
(with proof of age)
4. Present occupation
5. Nature of vending tickets
 1. Own shop
 2. Rented shop
 3. Bunk
 4. Vehicle
 5. Pedestal
6. Amount remitted
7. Office from which registration
is requested

Give further detail if any.

DECLARATION

I hereby agree and undertake to abide the conditions of agency as stipulated in the Kerala Paper Lotteries (Regulations) Rules 2005 and also shall abide by all orders, directions or instructions issued by authorities in this regard from time to time.

Place :

Date:

Signature of the applicant

Office use only

1. Agency No. allotted
2. Date of issue
3. Amount collected with the TR5 receipt No. and date:

Name and Signature of the Officer issued agency.

FORM No. III

STOCK-CUM-ISSUE REGISTER OF TICKETS

[vide Rule 7(5)]

<i>Date</i>	<i>From whom received</i>	<i><u>Details of the No. of tickets received</u></i>			<i>To whom issued</i>
		<i>From</i>	<i>To</i>	<i>Total No.</i>	
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>	<i>(5)</i>	<i>(6)</i>

<i><u>Details of the No. of tickets issued</u></i>			<i>Balance</i>	<i>Initial of Head of Office</i>	<i>Remarks</i>
<i>From</i>	<i>To</i>	<i>Total No.</i>			
<i>(7)</i>	<i>(8)</i>	<i>(9)</i>	<i>(10)</i>	<i>(11)</i>	<i>(12)</i>

FORM No. IV

DAILY TICKET ISSUE REGISTER

[vide Rule 7(5)]

<i>Date</i>	<i>Sl. No.</i>	<i>Name of Agent with Agency Number</i>	<i>Value of Tickets</i>	<i>No. of Tickets sold</i>	<i>Acknowledgement of agent</i>	<i>Remarks</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>	<i>(5)</i>	<i>(6)</i>	<i>(7)</i>

33/1516/05/DTP

FORM No. V

AGENT WAR DISTRIBUTION REGISTER

[vide Rule 7(5)]

Name of Agent with Agency Number

Lottery Number:

<i>Date of issue</i>	<i>Series and Ticket Nos. From To</i>	<i>Total No. of Tickets</i>	<i>Total value</i>	<i>Acknowledgement of the agent/representative</i>	<i>Initial of the DSL/DLO</i>
(1)	(2)	(3)	(4)	(5)	(6)

<i>Details of prizes won</i>	<i>Agents prize amount</i>	<i>Details of payment</i>	<i>Remarks</i>
(7)	(8)	(9)	(10)

FORM No.VI

[See Rule 7(6)]

Certified that Shri/Smt. agency
No. of this district has already purchase (No. of
tickets)oflottery on
..... (Date) from this Office and hence is eligible for purchase
of tickets of the same lottery from other District.

District Lottery Officer
(Name of District)

(Seal)

Place:

Date :

FORM No. VII

[See Rule 7(7)]

Name of lottery lottery No. date of Draw

Series	From	To	Total	Sold	Unsold
Grand Total					
Details of Unsold Tickets					
From	To		Total		

Place:

Date :

DSL/DLO

FORM No. VIII
RECEIPT FOR PRIZE MONEY
[Vide Rule 9(3) (a)]

Received from the Director of State Lotteries Thiruvananthapuram/District lottery officera sum of Rs.....
(Rupeesonly) after deducting
Income Tax @ 30% + 10% Surcharge on Income Tax Rs.....
(Rupeesonly) from the
prize amount of Rs. (Rupees only)
and after deducting agents prize @ 10% each Rs.

(Rupeesonly) from the prize amount of
Rs.....(Rupeesonly) due
to me on Ticket No. which has won prize of the
..... draw of Kerala State Paper Lotteries held on

Signature on Revenue Stamp Worth Rs.1
Name and Full Address with Pin Code

Place:

Date :



of the Governor

P. MARA PANDIYAN
Secretary to Government

EXPLANATORY NOTE

(This does not form part of the notification but is intended to indicate its general purport.)

As per G.O. (P) 11/05/TD dated 27-1-2005 published as S.R.O. No. 73/05 in the Kerala Gazette Extraordinary number 169 dated 27-1-2005 the State of Kerala was declared a Lottery Free Zone. Accordingly the Kerala State Lotteries (Regulation) Rules, 2003 was repealed as per G.O.(P) 12/05/TD dated 27-1-2005 published as S.R.O. No. 74/05 in the Kerala Gazette Extraordinary dated 27-1-2005. Now Government have decided to restore Paper Lottery conducted by it and to continue the ban on On-line Lotteries. Rules have to be issued for the conduct of State Lottery.

This notification is intended to achieve the above purpose.

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Government of Kerala
കേരള സർക്കാർ
2007

Reg: No. രജി. നമ്പർ
KL/TV(N)12/2006-2008

KERALA GAZETTE

കേരള ഗസറ്റ് EXTRAORDINARY

അസാധാരണം

PUBLISHED BY AUTHORITY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

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GOVERNMENT OF KERALA

Taxes (H) Department
NOTIFICATION

G.O (P) No. 5/07/TD

Dated, Thiruvananthapuram 10th January, 2007

S.R.O. No. 562/2007.— In exercise of the powers conferred by sub-section (1) and (2) of section 12 of the Lotteries (Regulation) Act, 1998 (Central Act 17 of 1998), the Government of Kerala hereby make the following rules to amend the Kerala Paper Lotteries (Regulation) Rules, 2005, issued as notification G.O.(P)No. 65/2005/TD dated 20th April, 2005 and published as S.R.O.No. 372/2005 in the Kerala Gazette Extraordinary No. 823 dated 20th April, 2005, namely:

RULE

1 Short title and Commencement.—(1) These rules may be called the Kerala Paper Lotteries (Regulation) Amendment Rules, 2006.

(2) They shall come into force at once.

2 Amendment of the Rules.—In the Kerala Paper Lotteries (Regulation) Rules, 2005,—

(i) In sub rule (1) of rule 7 for the second sentence beginning with the words “Tickets will be sold” and ending with the words “of prized tickets”, the following sentence shall be substituted, namely:—

“Tickets will be sold to agents either on cash payment /demand draft in favour of the Director or by exchange of prized tickets. The details of demand draft received shall be recorded in a register in Form No. IV.”

(ii) For the existing Form No. IV, the following form shall be substituted namely:—

33/180/2007 DTP.

FORM No. IV
DAILY TICKET ISSUE REGISTER
[See Rule 7]

Date	Sl. No.	Name of agent with Agency Number	Value of Tickets			Details of Demand Draft					Remarks
			In Cash	In Demand Draft (Details in column 8)	Total	Number of Tickets sold	Acknowledgement of agent	Name of Bank	Demand Draft No.	Date	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)			

By Order of the Governor,

P. MARAPANDIYAN
Secretary to Government



(This does not form part of the notification but is intended to indicate its general purport.)

As per rule 7(1) of the Kerala Paper Lotteries (Regulation) Rules, 2005 there is no provision to accept Demand Draft for sale of tickets to Agents. Considering the practical difficulties faced by the agents, Government have decided to sell lottery tickets to agents accepting Demand Draft furnished by them, in favour of the Director by making necessary amendments to the said Rules.

This notification is intended to achieve the above object.

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GOVERNMENT CENTRAL PRESS, THIRUVANANTHAPURAM 2007

KERALA GAZETTE

കേരള ഗസറ്റ്

EXTRAORDINARY

അസാധാരണ

PUBLISHED BY AUTHORITY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

Vol LIII	}	Thiruvananthapuram,	26th February 2008	No. }	399
വാല്യം 53		Tuesday	2008 ഫെബ്രുവരി 26		
		തിരുവനന്തപുരം	7th Phalgum 1929	നമ്പർ }	
		ചൊവ്വ	1929 ഫാൽഗുനം 7		

GOVERNMENT OF KERALA

Taxes (H) Department
NOTIFICATION

G.O (P) No. 27/2008/TD

Dated, Thiruvananthapuram 20th February, 2008

S.R.O. No. 225/2008.— In exercise of the- powers conferred by sub-sections (1) and (2) of section 12 of the Lotteries (Regulation) Act, 1998 (Central Act 7 of 1998), the Government of Kerala, hereby make the following rules further to amend the Kerala Paper Lotteries (Regulation) Rules, 2005, namely: —

RULES

1. *Short title and Commencement.*—(1) These rules may be called the Kerala Paper Lotteries (Regulation) Amendment Rules, 2008.
(2) They shall come into force at once.
2. *Amendment of the Rules.*—In the Kerala Paper Lotteries (Regulation) Rules, 2005,—

33/272/2008 DTP.

In rule 3,—

- (i) For sub rule (1) the following sub-rule shall be substituted, namely:–
“(1) The Director shall decide the model and design of Paper Lottery Tickets before it is send for printing”.
- (ii) in sub-rule (2) for the words “Secretary to Government of Kerala Taxes Department”, the word “Director” shall be substituted;
- (iii) in sub-rule (4) for the following shall be inserted at the end, namely:–
“A portion of the space on the reverse will be utilised for advertisement of government department and public sector undertaking issued in public interest and Director shall take decision on such advertisement”.
- (iv) in sub-rule (5) for the word “Government” that words “the Director” shall be substituted;
- (v) for sub-rule (6) the following sub-rule shall be substituted namely:–

“(6) The Director is entitled to take decision on the prize structure and to cancel a scheme subject to the ratification of the Government. The rate of interest, agent’s commission on prizes etc., shall be distinct in each lottery scheme and be decided by the Director.”

- (2) in rule 4, after sub-rule (2), the following sub-rule shall be inserted, namely. –

“(3) The Director shall appoint sole selling agents by open bidding for sale of Kerala State Lotteries in other State in India which are not lottery free zones. He shall also decide the States in which Kerala State Lotteries can be marketed. Such sole selling agents shall be appointed by the Director through the tender committee comprised by the Secretary to Government (Taxes Department), Secretary to Government (Finance Expenditure), Secretary to Government (Finance Resources) and the Director as members, with the Director as the Convenor. The terms and conditions for the bid documents shall be decided by the Director.

- (3) in rule 5. –

- (i) for sub-rule (1), the following sub-rules shall be substituted, namely:–

“(1) Any person desirous of obtaining an agency for sale of Kerala State Lottery ticket shall apply in Form No. II to the District Lottery Officer by remitting a fee of Rs. 200 (Rupees Two hundred only) in

cash. The validity of the agency does issued will be expired on the 31st December every year. The agency shall be renewed for a further calendar year on application to the district lottery officer who granted the agency on payment of a renewal fee of Rs. 50 (Rupees fifty only) in cash. Persons whose agency has been terminated

for want of renewable in time are permitted for renewal on payment of rupees 25(Rupees Twenty-five only) as fine per year without furnishing fresh application in Form No. II provided. Such renewable is limited for a maximum period of five years.

(2) In case of fresh registration and renewal the agents will have to purchase tickets for a minimum amount.

(3) Any person shall apply for Casual agency for the purchase of tickets of a particular draw in Form No. II A to the District Lottery Officer by remitting a fee of Rs. 50 (Rupees fifty only) in cash. Such agency is limited to the sale of that particular draw for which the agency is obtained. Casual agents are eligible for all benefits as allowed to regular agents.

(ii) the existing sub-rule (2) shall be renumbered as sub-rule (4)

(4) in rule 7,—

(i) in sub-rule (1),—

(a) for the word, “Government” the words, “the Director” shall be substituted;

(b) after the words “or by exchange of price tickets” the following shall be inserted, namely:—

“or by demand draft drawn in favour of the Director/the District Lottery Officer or by credit. Lottery tickets of all schemes will be sold by credit, based on Bank guarantee on the following conditions that.—

(i) the Bank guarantee should be that of a Nationalised Bank/Scheduled Banks /State Cooperative Bank /District Co-operative Bank. The Director shall revoke/review such Bank guarantee on or before the due date.

(ii) the credit sales shall be allowed for the purchase of maximum of one lakh tickets and a minimum of five thousand tickets of each draw of any lottery from any District Lottery Office after placing adequate bank guarantee.

(iii) the agents must settle the full amount at any time before the day of closing of accounts of a particular draw in the District Lottery Office.

(iv) if the agents fail to settle the dues within the prescribed time, the Director shall recover the dues from the Agents by encashing the bank guarantee. The agents will have to pay interest at the prevailing rate for the period of delay in realising the amount from the Bank. The amount of interest shall be deducted from the agents claim.

(v) the Government shall recover dues, if any, by way of revenue recovery or by resorting to any other legal proceedings.

- (vi) the facility for purchase of tickets on Bank guarantee by an agent shall be forfeited in the case of agents who fail to clear his dues in time.
- (vii) the value of ticket from the registered agent shall be accepted by way of demand draft.”
- (ii) for sub-rule (3) the following sub-rule shall be substituted, namely: –

“(3) Appropriate and distinct provisions shall be laid in the ticket enable to establish the genuineness of the tickets either from the office of sale or from the printing press itself before sale of tickets.”
- (iii) for sub-rule (7), the following sub-rule shall be substituted, namely: –

“(7) The unsold ticket shall be kept under safe custody after making ‘V’ cut on the number in the right side portion. The Director is entitled to dispose the unsold tickets and the counterfoils of the sold tickets at appropriate time. The details of such tickets /counterfoil shall be recorded in a Register in Form No. VII.”
- (5) in rule 8. –
 - (i) in sub-rule (1) for the word “Government” the words, “the Director” shall be substituted;
 - (ii) for sub- rule (2), the following sub-rule shall be substituted, namely: –

“(2) the draw shall be conducted normally between 2:30 p.m. and 5:30 p.m. of the day under the supervision of a panel of Judges not below three members and not exceeding seven members including a Chairman as decided by the Director.”
 - (iii) in sub-rule (3), the words “representing all sections of the society shall be omitted:
 - (iv) in sub-rule (6), the words, “subject to ratification by Government” shall be omitted:
- (6) in rule 9, –
 - (i) for sub-rule (3), the following sub-rule shall be substituted namely: –

“(3) The prize winning tickets in original, shall be surrendered before the officers concerned within 30 days from the date of drop. The prize winner shall claim the prize amount either directly or by post or through Nationalised Bank/ Scheduled Bank / State Cooperative Bank / District

Cooperative Bank. While presenting the claim the prize winner shall write his /her name address and signature on the reverse side of the prized ticket. Prize claims up to and including one lakh rupees shall be sanctioned by the District Lottery Officer. Prize claim above rupees One Lakh and up to and including Rs. 20 lakhs shall be sanctioned by the Deputy Director of Lotteries and that above Rs 20 lakhs by the Director. Claims on agents Commission, incentive to the agents should be submitted within three months from the date of draw. Following list of documents are to be furnished along with the prize winning tickets for above Rs. 5,000.

- (a) Stamped receipt in Form No. VIII.
- (b) Recent passport size photograph of the prize winner duly attested by Gazetted Officer / Bank Authority.
- (c) Self attested photo state copy of both the sides of the prized tickets.
- (d) Self attested copy of Passport / Ration Card /Election Identity Card / Driving Licence / Pan Card of the prize winner to prove identity.
- (e) In addition to the above the following documents shall also be enclosed by surrendering the tickets through Banks: –
 - (1) Authorisation of Prize winner.
 - (2) Certificate of collecting Bank.
 - (3) Certificate of the receiving Bank.

32/20/08

(f) In the case of Prize winners from outside the State, the documents enlisted from (a) to (e) should be duly attested by a Notary Public.”

(ii) for sub-rule (4), the following sub-rule shall be substituted, namely: –

“(4) The District Lottery Officer shall condone delay in presenting of the prized tickets up to thirty days and the Deputy Directors shall condone delay up to forty-five days and the Director shall condone such delay up to sixty days on valid grounds.”

(iii) in sub-rule (5), for the figures and word “90 days” the figures and words “60 days” shall be substituted;

(iv) for sub-rule (9), the following sub-rule shall be substituted, namely:–

“(9) The prize winning tickets shall be surrendered to the Director/Deputy Director/District Lottery Officer in good condition. Tampered or mutilated tickets will be rejected. The officer passing the prize claim is liable to ascertain the genuineness of the tickets before disbursing the amount of each claim. In cases of torn tickets for above rupees five thousand, and if the genuineness of the tickets is established by the Passing Officer, such claims shall be passed for payment after obtaining necessary bond from the prize winner. Only in cases of serious doubt on the genuineness of tickets, the report of the Forensic Science Laboratory shall be resorted to. The fee for the verification by the Forensic Science Laboratory shall be borne by the prize winner himself in advance. Criminal proceedings shall be initiated against those who produce forged tickets.”

- (v) in sub-rule (10), for the existing proviso, the following proviso shall be substituted namely: –

“Provided that the Director shall up to a period of 90 days from the date of draw, allow the disbursement of prize money, if on an application he is satisfied, for reasons to be recorded in writing that, there is sufficient reasons for the delayed claim. The final authority for entertaining appeals for prize claim up to and including rupees twenty lakhs shall be the Director and above rupees twenty lakhs it shall be the Government.”

- (7) after Form II ,the following Form shall be inserted, namely.–

Form No. IIA

[Vide Rule 5(3)]

**APPLICATION FOR CASUAL AGENCY UNDER KERALA PAPER
LOTTERIES (REGULATION) RULES, 2005**

1.Name and Postal address
(Name of Post Office,
District and State should
be clearly shown)

2.Name of Father /Mother

3.Age and Date of Birth

(with proof of age)

4.Present occupation

5.Nature of vending tickets

(1)Own shop

(2)Rented shop

(3)Bunk

(4)Vehicle*

(5)Pedestal

6.Amount remitted

7.Office from which registration
is requested

* Give further detail if any.

DECLARATION

I hereby agree and undertake to avoid the conditions of agency as stipulated in the Kerala Paper Lotteries (Regulations) Rules, 2005 and also shall abide by all orders, directions or instructions issued by authorities in this regard from time to time.

Place :

Date:

Signature of the applicant

(Office use only)

1. Casual agency number allotted

2. Date of issue

3. Amount collected with the
TR-5 receipt No. and date:

Name and Signature of the Officer issued agency.

By order of the Governor

P. MARA PANDIYAN
Secretary to Government

EXPLANATORY NOTE

(This does not form part of the notification ,but is intended to indicate its general purport)

As per G.O. (Ms.) No. 124/2007/TD, dated 15th May 2007, Government have announced certain measures for modernising and revamping of the State Lottery. In order to give effect to the above decision, Government have decided to amend the Kerala Paper Lotteries (Regulation) Rules, 2005 suitably.

This notification is intended to achieve the above object.

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2008
2008



Reg: No. രജി.നമ്പർ
KL/TV(N)12/2006-

KERALA GAZETTE
കേരള ഗസറ്റ്
EXTRAORDINARY
അസാധാരണ
PUBLISHED BY AUTHORITY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

Vol LIII	Thiruvananthapuram,	18th November 2008	No.	} 2474
വാല്യം 53	Tuesday	2008 നവംബർ 18	നമ്പർ	
	തിരുവനന്തപുരം ചൊവ്വ	27 th Karthika 1930 1930 കാർത്തികം 27		

GOVERNMENT OF KERALA

Taxes (H) Department

NOTIFICATION

G.O (P) No. 218/2008/TD

Dated, Thiruvananthapuram, 13th November, 2008

S.R.O. No. 1160/2008.— In exercise of the powers conferred by sub-sections (1) and (2) of section 12 of the Lotteries (Regulation) Act, 1998 (Central Act 7 of 1998), the Government of Kerala, hereby make the following Rules further to amend the Kerala Paper Lotteries (Regulation) Rules, 2005 namely: –

RULES

1. *Short Title and commencement.* – (1) These Rules may be called the Kerala Paper Lotteries (Regulation) Second Amendment Rules, 2008.

(2) They shall come into force at once.

2. *Amendments of Rules.*— In the Kerala Paper Lotteries (Regulation) Rules, 2005, –

23/223/2005/DTP

(Office use only)

1. Casual agency number allotted
2. Date of issue
3. Amount collected with the
TR-5 receipt No. and date:

Name and Signature of the Officer issued agency.



e Governor
ANDIYAN
Government

EXPLANATORY NOTE

(This does not form part of the notification ,but is intended to indicate its general purport)

As per G.O. (Ms.) No. 124/2007/TD dated 15th May 2007, Government have announced certain measures for modernising and revamping of the State Lottery. In order to give effect to the above decision, Government have decided to amend the Kerala Paper Lotteries (Regulation) Rules, 2005 suitably.

This notification is intended to achieve the above object.

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2008

Reg: No. രജി. നമ്പർ
KL/TV(N)12/2006-2008

KERALA GAZETTE
കേരള ഗസറ്റ്
EXTRAORDINARY
അസാധാരണ
PUBLISHED BY AUTHORITY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

Vol LIII വാല്യം 53	Thiruvananthapuram, Tuesday തിരുവനന്തപുരം ചൊവ്വ	18th November 2008 <u>2008 നവംബർ 18</u> 27th Karthika 1930 1930 കാർത്തികം 27	No. നമ്പർ	2474
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GOVERNMENT OF KERALA

Taxes (H) Department

NOTIFICATION

G.O (P) No. 218/2008/TD

Dated, Thiruvananthapuram 13th November, 2008

S.R.O. No. 1160/2008.— In exercise of the powers conferred by sub-sections (1) and (2) of section 12 of the Lotteries (Regulation) Act, 1998 (Central Act 7 of 1998), the Government of Kerala, hereby make the following Rules further to amend the Kerala Paper Lotteries (Regulation) Rules, 2005 namely: —

RULES

1. *Short Title and commencement.* — (1) These Rules may be called the Kerala Paper Lotteries (Regulation) Second Amendment Rules, 2008.

(2) They shall come into force at once.

2. *Amendments of Rules.*— In the Kerala Paper Lotteries (Regulation) Rules, 2005, —

(1) in sub-rule(1) of rule 7.

(a) in item (i) after the words. “The Director” the symbol and words District Lottery Officer” shall be inserted;

(b) for item (ii), the following shall be substituted, namely:—

(ii) the credit sales shall be allowed to an agent for the purchase of lottery tickets of a maximum amount of rupees fifty lakhs and a minimum amount of rupees fifty thousand from each District Lottery Office after placing adequate bank guarantee.”

(c) for item (iv) the following shall be substituted namely.—

“(iv) if the agents fail to settle the dues within the prescribed time the District Lottery Officer shall recover the dues from the agents by encashing the Bank guarantee. The agents will have to pay interest at 12% rate for the period of delay in realising the amount from the Bank. The amount of interest shall be deducted from the agents claim.”

(2) in rule, 9,—

(a) in sub-rule () ng shall be substituted
namely:—
“(d) Self attes
(b) in sub-rule (8 “Rs.100” the letters and
figures “Rs. 5,000” shall be



By order of the Governor

P. MARA PANDIYAN
Secretary to Government

EXPLANATORY NOTE

(This does not form part of the notification ,but is intended to indicate its general purport)

In order to overcome certain practical difficulties in adhering to some of the provisions of the Kerala Paper Lotteries(Regulations) Rules , 2005, due to the increase in the number of draws ,Government have decided to amend the rule suitably.

This notification is intended to achieve the above object.

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2011

Reg: No. രജി.നമ്പർ
KL/TV(N)12/2009-2011

KERALA GAZETTE

കേരള ഗസറ്റ്

EXTRAORDINARY

അസാധാരണ

PUBLISHED BY AUTHORITY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

Vol LVI	Thiruvananthapuram,	28th January 2011	No.	} 208
വാല്യം 56	Friday	<u>2011 ജനുവരി 28</u>		
	തിരുവനന്തപുരം	8th Magha 1932	നമ്പർ	
	വെള്ളി	1932 മാഘം 8		

GOVERNMENT OF KERALA

Taxes (H) Department

NOTIFICATION

G.O (P) No. 14/2011/TD

Dated, Thiruvananthapuram 28th January, 2011

S.R.O. No. 80/2011.— In exercise of the powers conferred by sub-sections (1) and (2) of section 12 of the Lotteries (Regulation) Act, 1998 (Central Act 7 of 1998), the Government of Kerala, hereby make the following Rules further to amend the Kerala Paper Lotteries (Regulation) Rules, 2005 issued by notification under G.O.(P) No. 65/2005/TD dated 20th April, 2005 and published as S.R.O. No. 372/2005 in the Kerala Gazette Extraordinary No.823 dated 20th April, 2005, namely: —

PRINTED AND PUBLISHED BY THE SUPERINTENDENT OF GOVERNMENT PRESSES AT THE
GOVERNMENT CENTRAL PRESS THIRUVANANTHAPURAM 2005

33/407/2011/DTP

1. *Short title and commencement:* -- (1) These rules may be called the Kerala Paper Lotteries (Regulation) Amendment Rules 2011.

(2) they shall come into force at once.

2. *Amendment of the Rules.*— In the Kerala Paper Lotteries (Regulation) Rules 2005.—

(a) in rule 2, after clause (9), the following clause shall be inserted namely:—

“(10) “seller’ means a person other than an agent and a sub-agent who sells Kerala paper lottery tickets to the public under an agent.”

(b) in rule 5, after sub-rule (4), the following sub-rules shall be inserted, namely. –

“(5) The Director shall have the power to suspend or cancel an agency if it is found that the agent of seller is acting in contravention of any of the provisions of the Act or the rules made there under or is indulging in any act or omission in any form which is detrimental to the public interest.

Provided that no such agency shall be cancelled without giving the agent concerned an opportunity of being heard.

“(6) Any person aggrieved by a decision of the Director under sub-rule (5) of this rule may, within 30 days from the date of such decision, prefer an appeal to the Secretary to Government of Kerala Taxes Department.”

(c) in rule 6, the existing provision shall be numbered as sub-rule (1) of that rule and after sub-rule (1) as so numbered, the following sub-rules shall be inserted, namely: –

“(2) No agent shall conduct the sale of ticket through internet or by any other means without prior written permission of the Director and only the sale of physical ticket is permitted.

(3) Every agents shall collect the cost of lottery tickets from sub agents and sellers appointed by him or from the general public only in cash or by way of demand draft or cheque.

(4) No agent shall sell the tickets of the Kerala State Lotteries outside the state of Kerala directly or indirectly against the provisions of sub rule (3) of rule 4.

(5) Every agent shall affix his seal on the reverse of each ticket with details of name and agency number.

(6) Lottery ticket shall be delivered to the sub-agent, seller or the general public immediately on receipt of the cost of ticket.

(7) No ticket shall , under any circumstances, be sold above the face value printed on the ticket.

(8) No person other than an agent shall be entitled to club their own schemes with the State Lotteries or the sale of its tickets for sales promotion of their products, goods or services and no such agent shall be entitled to do so without prior written permission of the Director.”

By order of the Governor



JOY
Government

EXPLANATORY NOTE

(This does not form part of the notification ,but is intended to indicate its general purport)

It has come to the notice of the Government that several persons /sellers and Agents are linking their own personal schemes for their benefits with the state lottery ,which has its own credibility. It is also found that several sellers are indulgingt in unlawful activities like selling the lotteries above its face value and in other states where lotteries are banned. These activities may cause disrepute to the State and the State lotteries, which may also affect the credibility and transparency in the conduct of State Lotteries. Hence, Government have decided to amend the Kerala Paper Lotteries (Regulation) Rules, 2005 to control such activities.

The notification is intended to achieve the above object.

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RNI

2011

Reg: No. KERBIL/2012/45073
dated 5-9-2012 with

Reg. No. KL/TV(N)/634/2015-17

കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം

EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

PUBLISHED BY AUTHORITY

വാല്യം 4 നമ്പർ	തിരുവനന്തപുരം, വ്യാഴം	2015 □□□□□□ 1 1st October 2015 1191 കന്നി 15 No. 15 th kanni 1191	2221
Vol. IV	Thiruvananthapuram, Thursday	1937 ആശ്വിനം 9 9th Aswina 1937	

GOVERNMENT OF KERALA

Taxes (H) Department

NOTIFICATION

G.O (P) No. 177/2005/TD

*Dated, Thiruvananthapuram 30th September, 2015
14th Kanni, 1191*

S.R.O. No. 658/2015.- In exercise of the powers conferred by sub-sections (1) and (2) of section 12 of the Lotteries (Regulation) Act, 1998 (Central Act 17 of 1998), the Government of Kerala, hereby make the following rules further to amend the Kerala Paper Lotteries (Regulation) Rules, 2005 issued under G.O. (P) No. 65/2005/TD dated 20th day of April, 2005 and published as S.R.O. No. 372/2005 in the Kerala Gazette Extraordinary No. 823 dated 20th April, 2005, namely:--

RULES

1. *Short Title and commencement.*---(1) These rules may be called the Kerala Paper Lotteries (Regulation) Amendment Rules, 2015.

(2) They shall come into force at once.

2. *Amendments of Rules.*-- In the Kerala Paper Lotteries (Regulation) Rules 2005,
--

(i) in rule 2, after sub-rule (9), the following sub-rule shall be inserted, namely:-

“(10) “Sole distributor” means any Government agency/Government Board/ Government organisation appointed under the rules to function as the sole distributor of Kerala lottery at the first point of sale”;

(ii) in rule 4, in sub-rule (2), after the words “The director may appoint” the words “a sole distributor and” shall be inserted;

(iii) after rule 6, the following rule shall be inserted, namely:---

“6A. *Duties and Responsibilities of Sole Distributor*:--

The Sole Distributor may function as the distributor of the State Lotteries at first point of sale to the agents. The Sole Distributor shall be responsible for the collection of sale proceeds through the District Lottery Officers and remit the same to the Government and also to collect the service tax liability of agents from their commission and remit it to the department concerned. He shall also file returns of service tax or other taxes and follow the statutory requirements as deemed necessary, from time to time.

(iv) in rule 7, in sub-rule (1), after the words “Lottery tickets shall be sold to” the words “the sole distributor who will in turn sell to” shall be inserted;

(v) in rule 7, after sub-rule (2), the following sub-rule shall be inserted namely:

“(2 a). The Service Tax or other taxes deducted shall be paid to the department concerned and comply with statutory requirements”.

By order of the Governor,
DR. W.R. REDDY ,Principal Secretary to Government.

Explanatory note

(This does not form part of the notification, but is intended to indicate its General purport)

Government have decided to appoint the Kerala State Lottery and Sellers Welfare Fund Board as the Sole Distributor of State at the 1st point to collect the service tax liability from the commission and remit the same to the Central Excise, Customs Service Tax Department. In order to give statutory validity government have decided to amend the Kerala Paper Lotteries(Regulation) Rules, 2005 suitably.

This notification is intended to achieve the above object.



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കേരള സർക്കാർ
Government of Kerala
2017

Reg: No. KERBIL/2012/45073
dated 5-9-2012 with RNI
Reg. No. KL/TV(N)/634/2015-17

കേരള ഗസറ്റ്
KERALA GAZETTE

അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

വാല്യം 6 } Vol. VI } No.	തിരുവനന്തപുരം, വെള്ളി	2017 □□□□ 28 28 th July 2017 1192 കർക്കിടകം 12	നമ്പർ } 1595 }
Thiruvananthapuram,		12th Karkadakam 1192	
Friday		1939 ശ്രാവണം 6 6th Sravana 1939	

GOVERNMENT OF KERALA

Taxes (H) Department

NOTIFICATION

G.O (P) No. 92/2017/Taxes

Dated, Thiruvananthapuram 26th July, 2017
10th Karkadakam, 1192

S.R.O. No. 480/2017- In exercise of the powers conferred by sub-sections (1) and (2) of section 12 of the Lotteries (Regulation) Act, 1998 (Central Act 17 of 1998), the Government of Kerala, hereby make the following Rules further to amend the Kerala Paper Lotteries (Regulation) Rules, 2005 issued under G.O. (P) No. 65/2005/TD dated 20th day of April, 2005 and published as S.R.O. No. 372/2005 in the Kerala Gazette Extraordinary No. 823 dated 20th April, 2005, namely:--

RULES

1. *Short Title and commencement.*---(1) These Rules may be called the Kerala Paper Lotteries (Regulation) Amendment Rules, 2017.

(2) They shall come into force at once.

2. *Amendments of the Rules.*-- In the Kerala Paper Lotteries (Regulation) Rules 2005, --

(i) In sub-rule (2) of rule 8, the figures and words “10:30 a.m.” shall be substituted for the figures and words “2:30 p.m.”

By order of the Governor,

MINHAJ ALAM
Secretary to Government

Explanatory Note

(This does not form part of the notification, but is intended to indicate is General purport)

In order to overcome certain practical difficulties in adhering to some of the provisions of the Kerala Paper Lottery (Regulation) Rules, 2005, due to the increase in the number of prizes, Government have decided to amend the Rule suitably.

This notification is intended to achieve the above object.

PRINTED AND PUBLISHED BY THE SUPERINTENDENT OF GOVERNMENT PRESSES AT THE
GOVERNMENT CENTRAL PRESS THIRUVANANTHAPURAM 2017

THE GAZETTE OF INDIA

EXTRAORDINARY

Part II- Section I

PUBLISHED AUTHORITY

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No. 32 NEW DELHI ,TUESDAY ,JULY 7 ,1998/ASADHA 16, 1920

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Separate paging is given to this Part in other that it may be filed as a separate compilation

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MINISTRY OF LAW ,JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 7th July ,1998/Asadha 16, 1920 (Saka)

The following Act of Parliament received the assent of the President on the 7th July, 1998, and is hereby published for general information:-

THE LOTTERIES (REGULATION) ACT, 1998

No. 17 OF 1998

[7th July, 1998]

An act to regulate the lotteries and to provide for matters connected there with and incidental thereto.

BE it enacted by Parliament in the Forty-ninth year of the Republic of India as follows:-

1. (1) This act may be called the Lotteries (Regulation) Act, 1998.

(2) It extends to the whole of India.

(3) It shall be deemed to have come into force on the 2nd day of October, 1997.

2. In this Act, unless there is anything repugnant in the subject or context-

(a) “bumper draw of a lottery” means a special draw of lottery conducted on or during any festival or other special occasion where in the prize money offered is greater than the prize money offered in the case of other ordinary draw of lotteries;

(b) lottery means a scheme in whatever form and by whatever name called ,for distribution of prizes by lot or chance to those persons participating in the chances of a prize by sss purchasing tickets

(c) “prescribed” means prescribed by rules made under this Act.

3. Save as otherwise provided in section 4, no State Government shall organise, conduct or promote any lottery.

4. A State Government may organize, conduct or promote a lottery, subject to the following conditions namely:-

(a) prizes shall not be offered on any pre pre-announced number or on the basis of a single digit;

(b) the State Government shall print the lottery tickets bearing the imprint and logo of the State in such manner that the authenticity of the lottery ticket is ensured;

(c) the State Government shall sell the tickets either itself or through distributors or selling agents;

(d) the proceeds of the sale of lottery tickets shall be credited into the public account of the State;

(e) the State Government itself shall conduct the draws of all the lotteries;

(f) the prize money unclaimed within such time as may be prescribed by the State Government or not otherwise distributed, shall become the property of that Government;

(g) the place of draw shall be located within the State concerned;

(h) no lottery shall have more than one draw in a week;

(i) the draws of all kinds of lotteries shall be conducted between such period of the day as may be prescribed by the State Government;

(j) the number of bumper draws of a lottery shall not be more than six in a calendar year;

(k) such other conditions as may be prescribed by the Central Government.

5. A State Government may, within the State, prohibit the sale of tickets of a lottery organised, conducted or promoted by every other State.

6. The Central Government may, by order published in the Official Gazette, prohibit a lottery organised, conducted or promoted in contravention of the provisions of Section 4 or where tickets of such lottery are sold in contravention of the provisions of Section 5.

7. (1) Where a lottery is organized, conducted or promoted after the date on which this Act receives the assent of the President, in contravention of the provisions of this Act, by any Department of the State Government, the Head of the Department shall be punishable with rigorous imprisonment for a term which may extend to two years or with fine or with both.

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the contravention was committed without his knowledge or that he exercised all due diligence to prevent the commission of such contravention.

(2) Notwithstanding anything contained in sub-section (1), where a contravention under this Act has been committed by a Department of Government and it is proved that the contravention has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other

than the Head of the Department, such officer shall also be deemed to be guilty of that contravention and shall be liable to be proceeded against and punished accordingly.

(3) If any person acts as an agent or promoter or trader in any lottery organized, conducted or promoted in contravention of the provisions of this Act or sells, distributes or purchases the ticket of such lottery, he shall be punishable with rigorous imprisonment for a term which may extend to two years or with fine or with both.

8. The offence under this Act shall be cognizable and non-bailable.

9. (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was incharge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable, to, any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Explanation -- For the purposes of this section –

(a) “company” means any body corporate and includes a firm or other association of individuals; and

(b) “director”, in relation to a firm, means a partner in the firm.

10. The Central Government may give directions to the State Government as to carrying into execution in the State of any of the provisions of this Act or of any rule or other made thereunder.

11. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) Every rule made by the Central Government shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule, or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

12. (1) The State Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- (a) time to be fixed for claiming prize money under clause (f) of Section 4:
- (b) period to be fixed for draws of all lotteries under clause (i) of sections 4: and
- (c) any other matter which is required to be, or may be, prescribed.

(3) Every rule made by the State Government under this section shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such Legislature consists of one House, before that House.

13. (1) The Lotteries (Regulation) Ordinance, 1998, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of this Act,

RAGHBIR SINGH

Secy. to the Govt. of India

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 1st April, 2010

G.S.R. 278(E). --- In exercise of the powers conferred by sub section (1) of section 11 of the Lotteries (Regulation) Act, 1998 (Act 17 of 1998), the central Government hereby makes the following rules namely:-

1. Short title and commencement. – (1) These rules may be called the Lotteries (Regulation) Rules, 2010.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.- (1) In the rules, unless the context otherwise requires:-

(a) “Act” means the Lotteries (Regulation) Act, 1998 (17 of 1998);

(b) “central computer server” means a system of multiple computers at a central location under the direct control of the Organising State that accepts,

processes, stores and validates the online lottery transactions or otherwise manages, monitors and controls the entire system of online lottery;

(c) “distributor or selling agent” means an individual or a firm or a body corporate or other legal entity under law so appointed by the Organising State through an agreement to market and sell lotteries on behalf of the Organising State;

(d) “draw” means a method by which the prize winning numbers are drawn for each lottery or lottery scheme by operating the draw machine

or any other mechanical method based on random technology which is also visibly transparent to the viewers;

(e) “online lottery” means a system created to permit players to purchase lottery tickets generated by the computer or online machine at the lottery terminals where the information about the sale of a ticket and the player’s choice of any particular number or combination of numbers is simultaneously registered with the central computer server;

(f) “Organising State” means the State Government which conducts the lottery either in its own territory or sells its tickets in the territory of any other State;

(g) “prize” means the amount payable against a winning number ticket;

(h) “sale proceeds” means the amount payable by the distributor to the Organising State in respect of sale of tickets calculated at the face value printed on each ticket in respect of lotteries of a particular draw or scheme or both;

(i) “security deposit” means a deposit or amount or bank guarantee paid to the Organising State by the distributor or selling agent in any form for due fulfillment of the contract.

(2) Words and expressions used but not defined herein but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Organisation of Lottery. – (1) A State Government may organise a paper lottery or online lottery or both subject to the conditions specified in the Act and these rules.

(2) The State Government may organise a lottery or lotteries, if it so decides, by issuing a notification in its Official Gazette, outlining the purpose, scope, limitation and methods thereof.

(3) The Organising State shall announce in advance, by way of a notification in the Official Gazette, the following information about every lottery, namely:-

- (a) the name of the lottery or lottery scheme;
- (b) prices of the lottery ticket;
- (c) total number of tickets printed in case of paper lottery;
- (d) gross value of the tickets printed;
- (e) name or names of the distributors or selling agents with their addresses and contact information;
- (f) prize structure;
- (g) the amount offered as prize money;
- (h) periodicity of the draw;
- (i) the place where the draw shall be conducted; and
- (j) the procedure for drawing the prize winning tickets or prize-winners;

(4) In case an Organising state decides to organise more than one lottery, the procedure as provided in sub-rule (3) shall be followed for each lottery.

(5) The paper lottery tickets and the stationary on which the Online Lottery tickets are issued shall be printed by the Organising State at a Government Press or any other high security press included in the panel of the Reserve Bank of India or the Indian Banks' Association, Mumbai.

(6) The number of lottery draws except bumper draw by an Organising State, from all the lottery schemes put together, shall not be more than twenty four per day.

(7) No draws of a lottery shall be conducted on any National Holiday.

(8) The minimum sale price of a ticket shall not be less than two rupees.

(9) The first prize in any lottery scheme shall not be less than ten thousand rupees.

(10) The Organising State Shall charge a minimum amount of five lakh rupees per draw for bumper draw of lottery and, for all other forms of lottery, a minimum amount of ten thousand rupees per draw.

(11) The State Government under whose jurisdiction the lottery tickets are being sold shall be entitled to charge a minimum amount of two thousand rupees per draw from the Organising State but the maximum amount chargeable shall not be more than what is being charged by the State Government from its own lotteries.

(12) The Organising State shall publish the result of the draws in at least one national and two state level newspapers out of which one shall be in English as well as in its Official Gazette.

(13) The Organising State shall designate an officer, not below the rank of Secretary to the Government of the State, as the designated authority, who shall be responsible for organising the lottery in the State.

(14) An Organising states shall not offer a prize on a lottery ticket or in an online lottery on the basis of single, double or triple digit in any form of combination.

(15) In cases where an Organising State appoints or authorizes distributors or selling agents, it shall be the responsibility of the Organising State to ensure that the said distributors or selling agents act in conformity with the provisions of the Act and these rules:

(16) The Organising State shall keep records of the tickets printed, tickets issued for sale, tickets sold, tickets which remain unsold at the time of the draw, and the prize winning tickets along with the amount of prize or prizes in respect of each draw, in the manner prescribed by the Organising State.

(17) The Organising State shall ensure that proceeds of the sale of lottery tickets, as received from the distributors or selling agents or any other source, are deposited in the Public Ledger Account or in the Consolidated Fund of the Organising State.

(18) It shall be the responsibility of the Organising State to ensure that income tax on prizes, wherever applicable, is deducted at source and that the prize money is credited to the bank account(s) of the prize winner(s).

(19) Every Organising State shall conduct an annual financial and systems audit of the various lottery schemes organised by it including online lottery.

(20) The Central Government may also conduct a special audit of any lottery or lottery scheme organised by any Organising State through the Comptroller and Auditor General of India or any other agency appointed by the Central Government for the purpose and take suitable action thereon.

(21) The Organising State shall devise suitable means and procedures effectively supervise the conduct of the lottery including the process of draws and all steps till publication of results to avoid any malpractices.

(22) Every State Government shall ensure that no lottery, in any form is organised by any authority other than the Organising State or its appointed distributors or selling agents within its jurisdiction.

4. Appointment of distributor or selling agent.—(1) The Organising State may specify qualifications, experience and other terms and conditions for the appointment of distributors or selling agents.

(2) The distributors or selling agents shall furnish a security deposit or a bank guarantee, as may be specified by the Organising State.

(3) The distributors or selling agents shall maintain a record of the tickets obtained from the Organising State, tickets sold and those which remain unsold up to the date and time of draw along with other details, as may be specified by the Organising State.

(4) The Organising State shall pay to the distributors or selling agents any commission due to them and the prize amounts disbursed by the distributors or selling agents to the winners, if any, out of the money so deposited in the Public Ledger Account or in the Consolidated Fund of the Organising State.

(5) The distributors or selling agents shall return the unsold tickets to the Organising State with full accounts along with the challans of the money deposited in the Public Ledger Account or in the Consolidated Fund of the Organising State through the sale of tickets.

(6) The unsold tickets and unused counterfoils of lottery tickets shall be disposed of in the manner specified by the Organising State from time to time.

- 5. Procedure to prohibit the sale of lottery tickets by the Central Government.** - (1) If a State Government is of the opinion that the Organising State or their distributors or selling agents are organising lotteries in violation of the provisions of the Act and these rules, it shall immediately bring the violations to the notice of the Organising State concerned along with the details of such violations or irregularities noticed and the Central Government shall also be apprised of such violations or irregularities simultaneously.
- (2) The Organising State shall send a suitable response on the issues raised by the State Government under sub-rule (1), within a period of thirty days of the receipt of such communication.
- (3) In case where the State Government concerned is not satisfied with the response sent by the Organising State under sub-rule (2) or the Organising State does not respond or does not take action to discontinue the organisation of the said² lottery scheme, the State Government concerned, under whose jurisdiction the lottery tickets are being sold, may bring to the notice of the Central Government all relevant details of violations or irregularities and the communications made with the Organising State, along with its recommendations on the action to be taken including banning of such lottery scheme of the Organising State in the geographical limits of its State.
- (4) The Central Government shall, after giving reasonable opportunity to the Organising State of being heard either in writing or in person, take the final decision whether action is required to be taken against the lottery scheme of the Organising State under section 6 of the Act.
- (5) In case the Central Government decides to prohibit any such lottery scheme, it shall issue an order under section 6 of the Act prohibiting such lottery and the State Government concerned to give wide publicity through daily newspapers or electronic media or both about the decisions of the Central Government.

[F. No. V-17013/31/2004-CSR-1]

Dr. NIRMALJEET SINGH KALSI, Jt. Secy.

F. NO. V-17013/2/2011-CSR-1
GOVERNMENT OF INDIA / BHARAT SARKAR
MINISTRY OF HOME AFFAIRS/ GRIH MANTRALAYA
CS DIVISION / NORTH NEW DELHI BLOCK

North Block, New Delhi
Dated: July, 2011

To,

The Principal Secretary (Finance)/ Secretary (Home)
All State Governments

Subject: Directions under Section 10 of the Lotteries (Regulation) Act, 1998

1. Introduction:

Entry 40 of the Union List of the seventh schedule to the Constitution, mentions “Lotteries organized by the Government of India or the Government of a State”. Hence, Government of India has enacted the

Lotteries (Regulation) Act, 1998 and has notified the Lotteries (Regulation) Rules, 2010 (w.e.f.1.4.2010) for regulation of lotteries in India. In addition, lotteries being organized by the State Governments are also regulated by the judgments passed by the Hon'ble Supreme Court and various other Court and various other Courts from time to time.

2. Policy of Government of India

The policy of the Central Government has been against holding or authorization of lotteries or extending official support to lotteries in any form and for any purpose, howsoever laudable, on the ground that they encourage the gambling spirit and disturb the normal economic equilibrium. Accordingly, the Government of India does not organize any lottery of its own. All the Union Territories have also been advised not to permit any lottery.

3. Inter - State Disputes

3.1 It has come to notice that some of the States who are organizing lotteries are not following the provisions of the Lotteries (Regulation) Act, 1998 and Lotteries (Regulation) Rules 2010 scrupulously and are violating certain provisions of the Act/Rules. This not only defeat the very purpose of formulating the Act/Rules but also causes problems and loss of revenue to the other States where these are sold, ultimately resulting in inter-state disputes often leading to court cases.

3.2 It has also come to the notice of this Ministry that many of these violations are often inadvertent and result from improper understanding of the Act and the Rules. While this Ministry appreciate the fact that the Rules came into force only w.e.f. 1st April, 2010 and it takes some time in dissemination of the rules to all authorities & stakeholders and in understanding the import of each provision, it is the responsibility of the Organising State Governments to understand and implement the provisions of the Act/Rules in their true letter and spirit.

4. Responsibility of the State Governments

4.1 This Ministry, therefore, reiterates that it is the responsibility of the State Government to ensure compliance with the provisions of the Lotteries (Regulation) Act, 1998 and the Lotteries (Regulation) Rules, 2010 in letter and spirit.

4.2 Based on a review of the implementation of these laws, the State Governments of the organizing States, are required:-

- (i) to ensure that paper lotteries when sold, bear the imprint and logo of the State in such manner that the authenticity of the lottery ticket is established;
- (ii) to ensure that the entire proceeds of the sale of lottery tickets, as received from the distributors or selling agents are first credited into the Treasury/Public Ledger Account/Consolidated Fund of the Organising State without any deductions etc. Payments of commission to distributors/sole selling agents etc. and other sundry payables should be made after the entire proceeds are deposited in the Government Account.
- (iii) to ensure that the lottery tickets are printed only at the Government press or any other high security press included in the panel of the Reserve Bank of India or the Indian Banks Association, Mumbai as per the provisions of the Rules and by exercising due diligence. To this end, it is advisable that the Organizing States themselves monitor the printing and inventory management of the paper lottery tickets. The distributors, marketing agents etc. should not be entrusted with the task of receiving and dispatching the lottery tickets from the Government press/security press.
- (iv) to keep the State Government, in whose territory the tickets are being sold, duly informed of marketing arrangements established by the Organizing State and give them all details of persons/firms involved in selling/distribution/printing of lotteries.
- (v) To ensure that the persons/firms involved in selling/distribution/printing of lotteries do not violate any provision of the Act/Rules, as the Organizing State shall be liable for any lapse/violation on their part.
- (vi) to provide such other information to the State Government, in whose territory the tickets are being sold, as required under the Act/Rules.
- (vii) to conduct an annual financial and Systems audit of the various lottery schemes organised by it to ensure that the provisions of the Act/Rules are not violated in any manner whatsoever. Concurrent

monitoring/auditing would also go on a long way in ensuring compliance of the provisions of the Act/Rules.

- (viii) to keep in direct touch with the officers of the State Government, in whose territory the tickets are being sold. It is advisable that officers of both Government should meet every few months so that issues are mutually resolved. It is also expected of a state Government, who is aggrieved with any other State Government, to first raise the directly with the State concerned as per the provisions of Rule-5 of the lotteries (Regulation) Rules, 2010.
- (ix) to ensure that the Agreement entered into by the Organising State with their distributor/sole selling agent confirm to the provisions of the Act/Rules.
- (x) to ensure that only 4 digit lottery are organised. Single, double and triple digit lotteries are not permissible under the Act/Rules. Moreover, in any draw of 4 digits a complete number should be drawn and nothing should be prefixed or suffixed to a single/double/triple digit numbers so drawn. In case any such lotteries are still being organized, these may be withdrawn forthwith.
- (xi) to ensure that draws are conducted only by draw machines or any other mechanical method based on random technology, which is visibly transparent to the viewers.

Receipt of this letter may be please be acknowledged.

(K.K.Pathak)
Joint Secretary to the Government of India
Ministry of Home Affairs
Tel. No. 230 92630



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കേരള സർക്കാർ
Government of Kerala
2018

Regn: No. KERBIL/2012/45073
dated 5-9-2012 with RNI
Reg. No. KL/TV(N)/634/2015-17

കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണ

EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

PUBLISHED BY AUTHORITY

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തിരുവനന്തപുരം,
ശനി 28th April 2018

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Thiruvananthapuram,
Saturday

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GOVERNMENT OF KERALA

Taxes (H) Department

NOTIFICATION

G.O (P) No. 66/2018/TD

Dated, Thiruvananthapuram, 20th April, 2018
15th Medam, 1193

S.R.O. No. 255 / 2018.- In exercise of the powers conferred by sub-sections (1) and (2) of section 12 of the Lotteries (Regulation) Act, 1998 (Central Act 17 of 1998), the Government of Kerala hereby make the following rules further to amend the Kerala Paper Lotteries (Regulation) Rules, 2005 issued by notification under G.O. (P) No. 65/2005/TD dated 20th April, 2005 and published as S.R.O. No. 372/2005 in the Kerala Gazette Extraordinary No. 823 dated 20th April, 2005, namely:-

2
RULES

1. *Short title and commencement.*- This rule may be called the Kerala Paper Lottery (Regulation) Amendment Rules, 2018.

(2) They shall come into force at once.

2. *Amendment of the Rules.*- In the Kerala Paper Lotteries (Regulation) Rules, 2005,-

(1) in rule 2,

(a) after clause (3), the following clause shall be inserted, namely:-

“(3A) ‘Authority’ means the Secretary to Government, Department or authority or officer specifically appointed by the Government to organise State Lottery and regulate the sale of other State lotteries within the state as provided in the Act.”

(b) after clause (6), the following clause shall be inserted, namely:-

“(6A) ‘Enforcement agency’ means the District Collector, District Superintendent of Police, Commissioner of Police or any other officer authorised by the Government or officers mentioned herein before and they shall exercise the powers of enforcement as specified in these rules.”

- (2) In rule 4 after sub-rule (3), the following sub-rule shall be inserted, namely:-

“(4) The Secretary to Government, Taxes Department or any authority specifically appointed by the Government for this purpose shall be the authority for the conduct of all or any particular lottery in the State including lotteries run/organized/promoted by other States.

(5) The authority shall have the powers to monitor the sale of all the lotteries including the lotteries run/organized/promoted by other States and Union Territories in accordance with the provisions of the Act and the rules.

(3) After rule 9 the following rules shall be inserted namely:-

“9A Sale of other state paper lottery tickets in Kerala.-(1)

Any other State or Union Territory organising conducting or promoting lottery as per section 4 of the Lotteries (Regulation) Act, 1998 (Central Act 17 of 1998), it shall submit to Taxes Department, of the Government the following documents and details before starting the sale of paper lotteries namely:-

- (a) details as per section 4 of the Act;
- (b) copy of the rules ,if any ,made under section 12 of the Act;
- (c) specimen ticket shall be submitted with name of lottery, type of scheme, order of draws along with details of the prize structure of every scheme and any subsequent addition or deletion to the scheme made from time to time;
- (d) details of the distributors, agents, selling agents, or sellers appointed for selling its lottery tickets in the State and the cancellation and fresh appointment thereof;
- (e) the details of methodology for conducting the draw by the concerned State Governments/Union Territory and details of prize winners of each scheme;
- (f) Details of the designated authority or body entrusted to conduct the lottery draw by the concerned State Government;
- (g) details of the venue and periodicity of draw within the Organising State
- (h) details of procedure for publishing the lottery results;
- (i) any other relevant information as directed by the authority so as to enable it to verify that the scheme is conducted as per the provisions of the Act.

(2) In the absence of the details, specified in sub-rule (1) the Secretary to Government may return the scheme to the State Government/Union Territory concerned directing to furnish the complete details within a period of fifteen days. The Secretary to Government of Kerala, Taxes Department shall assess the report independently taking in to account of various other information available with him from the Goods and Services Tax Department. Police or any other source if any, and decide as to whether the

scheme satisfies all the provisions of the Act and shall pass appropriate orders.

(3) No lottery shall be marketed in the State until appropriate orders under sub-rule (2) above are passed by the Secretary to Government. Enforcement agencies may seize such tickets marketed before passing any order in this regard.

(4) The enforcement agency may, --

(a) seize for the purpose of further examination or securing information or investigation any lottery, thing, machine, document, account books or data on or in such premises or facility which has a bearing on conduct of lottery;

(b) seal or otherwise secure any such premises, facility, thing or machine or in which any document or data which has a bearing on the conduct of lottery is stored;

(c) take such legal action as per the Act, which are necessary to protect the integrity and conduct of lottery.

(5) The other States or Union Territories who organise conduct or promote their lottery tickets in the State shall ensure the following:---

(a) in lottery tickets issued by the Government of other States, the name of the agents in any form or their logo shall not be printed;

(b) the result of the draws shall be announced by the Government of other States which shall be published in at least one national daily and two state level newspapers out of which one shall be in English. The result shall also be published in the official Gazette;

(c) the particulars of prize winners shall be furnished within three months from the date of draw to the authority.

(6) Respective State Governments shall also obtain prior approval of the authority for its distributors, agents and selling agents for point of sales in the State by furnishing all relevant details. Such distributors, agents and selling agents shall satisfy the following qualifications/requirements. ---

(a) he must have completed 18 years of age;

(b) Proof of credit worthiness should be furnished;

(c) place of business should not be within a distance of 100 metres from the vicinity of educational institutions/religious institutions like temple, church, mosque and the like;

(d) distributors, agents and selling agents shall have a place of business with clear title or ownership or on lease or rent;

(e) to Government should not have black listed him/her or the firm in the last three years;

(f) The person acting as distributors, agents and selling agents should not have been convicted for any criminal offence in the last three years with imprisonment of six months or with fine of Rs. 5000 or above or with both.

(7) If any other State lottery is approved by the Government of Kerala for sale within the State, it shall require the respective State, distributors, agents and selling agents to allow the authority or any officer authorised by him or enforcement agency to, ---

(a) enter any premises or facility belonging to or under the control of the distributor, agent or a member of management of the agent or any selling agent or employee of contractor of the agent or premises to which the agent has a right to access, at any reasonable time, if such entry is necessary for the public interest or protection of the integrity and interest of the lottery;

(b) examine or inspect anything, machine, document or data captured in any form found on or in the premises or facility and make copies of or make extracts from that thing, machine, document or data;

(c) to take copies of any document including any information kept by the distributors, agents, and selling agents relating the lottery or all other ancillary activity within the State;

(d) assist to inspect and take copies of the information in a visible and legible form from the computer or to inspect and check the operation of any computer and any associated apparatus or materials that is or has been in use in connection with keeping of the information.

(8) No other States selling their tickets in the State of Kerala shall use a name of prefix or suffix in the name of lottery (eg:--Kerala, name of the cities and town or any such other name which can be used as a prefix or suffix or otherwise) which could mislead people to believe that the said lottery is organised, conducted or promoted by the Government of Kerala

and where the State Government is satisfied that such use is misleading or is likely to mislead people to believe that the lotteries organise, conduct or promote by the Government of Kerala, the Government may cause seizure of such tickets within the State of Kerala through its enforcing agency.

(9) Any agent selling lottery tickets of any particular draw should have in possession a copy of the certificate issued by the Authority to the effect that licensing fee as may be *notified* as per Central Lottery (Regulation) Rules, 2010 in respect of the draw has been paid to the Government and they shall show it to the Enforcement Agency whenever it is demanded. On non-production of such certificate, Enforcement Agency is empowered to seize such tickets.

(10) Where the Government either *suo-motu* or on a complaint in that behalf are satisfied after verifying the necessary information that sale of tickets in the State, of a lottery organised, conducted or promoted by any other State, is in contravention of the provisions of the Act or the Rules made thereunder, it may temporarily suspend the sale of such tickets within the State and report the matter to the Government of India seeking its final order in the matter under section 6 of the Act.

(11) Details of tickets printed meant for sale within the State of Kerala and the details of unsold tickets after sales shall be submitted to Goods and Services Tax authorities as prescribed in the Kerala Goods and Services Tax Rules, 2017.

(12) The registered agents of Kerala State Lottery shall not sell other State lottery tickets. If any agent is found selling other State lotteries, his/her agency shall be liable to be cancelled by the Director of State Lotteries.

(13) The registered agents shall ensure that the sub-agents/sellers/retailers under them strictly comply with the above said conditions or else severe action will be taken against those agents under whom the violation is reported.

By order of the Governor,

SANJAY KAUL,
Secretary to Government

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport)

As per notification vide number GSR 278(E) dated 1-4-2010 and vide notification F. No. number 17013/2/ 2011 CSR-1 dated 2-8-2011 Government of India had issued Lottery Regulation Rules, 2010 under section 11(1) of Lotteries (Regulation) Act, 1998 and Directions under section (10) of the Lotteries (Regulation) Act, 1998. Accordingly, it has been decided to amend Kerala Paper Lotteries Regulation Rules, 2005 in order to incorporate additional regulating provisions for the furtherance of the Act in the light of above notifications.

As per rule 3(21) of Central Lotteries (Regulation) Rules, 2010, State Government is entitled to devise suitable means and procedures to effectively supervise the conduct of the lottery including the process of draws and all steps till publication of results to avoid any malpractices. It is the duty of the State Government to ensure that all provisions made under the Lotteries Regulation Act, 1998 are complied in letter and spirit. The State Government as to carrying in to execution various provisions of the Act and Rule, it has been decided to amend Kerala Paper Lotteries Regulation Rules, 2005 to incorporate additional provisions in the furtherance of the act to regulate, organize, conduct and promote paper lotteries within the State.

The notification is intended to achieve the above object.
