



The Bombay Prevention of Gambling (Gujarat Amendment) Act, 1964

32 of 1964

Keyword(s):

Prevention, Gambling, Worli Matka Gaming

Amendments appended: 16 of 1972, 20 of 1990, 4 of 2003

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PART IV

**Acts of the Gujarat Legislature and Ordinances promulgated
and Regulations made by the Governor.**

The following Act of the Gujarat Legislature, having been assented to by the President on the 31st October 1964 is hereby published for general information.

AKBAR S. SARELA,
Secretary to the Government of Gujarat.
Legal Department.

GUJARAT ACT NO. 32 OF 1964.

(First published, after having received the assent of the President in the "*Gujarat Government Gazette*" on the 11th November 1964).

An Act further to amend the Bombay Prevention of Gambling Act, 1887

It is hereby enacted in the Fifteenth Year of the Republic of India as follows :—

1. This Act may be called the Bombay Prevention of Gambling (Gujarat Amendment) Act, 1964. Short title.

2. (1) Section 6 of the Bombay Prevention of Gambling Act, 1887 (hereinafter referred to as "the principal Act") shall be re-numbered as sub-section (1) of that section, and in that sub-section — Amendment of section of Bom. of 1887.

Bom.
IV of
1887.

(a) in clause (ii), for the portion beginning with the words "a District Superintendent of Police" and ending with the words "in this behalf" the words "a District, Additional, Assistant or Deputy Superintendent of Police" shall be substituted;

(b) in the proviso, after the words "the District" the words "or Additional" shall be inserted.

(2) After sub-section (1) as so re-numbered, the following sub-section shall be added, namely :—

"(2) Notwithstanding anything contained in any law for the time being in force, no search made under this section shall be deemed to be illegal by reason only of the fact that the witnesses (if any) of the search were not inhabitants of the locality in which the house, room or place searched is situate."

Deletion of
section 11 of
Bom. IV of
1887.

3. Section 11 of the principal Act shall be deleted.



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PART IV

**Acts of the Gujarat Legislature and Ordinances promulgated and
 Regulations made by the Governor.**

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 18th August, 1972 is hereby published for general information.

K. M. SATWANI,
 Secretary to the Government of Gujarat,
 Legal Department.

GUJARAT ACT NO. 16 OF 1972.

(First published after having received the assent of the Governor in the "Gujarat Government Gazette" on the 23rd August, 1972.)

An Act further to amend the Bombay Prevention of Gambling Act, 1887.

It is hereby enacted in the Twenty-third Year of the Republic of India as follows :—

1. This Act may be called the Bombay Prevention of Gambling (Gujarat Short title. Amendment) Act, 1972.

2. In the Bombay Prevention of Gambling Act, 1887 (hereinafter referred to as the "principal Act"), in section 3, in the paragraph beginning with the words "In this Act, 'common gaming house' means", in clause (i),—

Bom.
IV of
1887.

Amendment
of section 3
of Bom.
IV of 1887

(a) in item (e) the word "or" shall be inserted at the end, and

(b) after item (e), the following item shall be inserted, namely :—

“(f) on the digits or figures used in stating the opening, middle or closing digits or figures declared for or in connection with *Worli Matka* gaming or any other form of gaming.”

Insertion of new section 3A in Bom. IV of 1887.

3. After section 3 of the principal Act, the following section shall be inserted, namely :—

Punishment for printing or publishing digits or figures relating to *Worli Matka* or other form of gaming.

“3A (1) Whoever prints or publishes in any manner whatsoever any digits or figures or combination of digits or figures relating to *Worli Matka* or any other form of gaming under the heading “*Shubha Rashi*” or by adopting any other form or device, or disseminates or attempts to disseminate or abets dissemination of information relating to such digits or figures or combination of digits or figures shall be punishable with imprisonment which may extend to six months and with fine which may extend to one thousand rupees.

(2) Where any person is accused of an offence under sub-section (1), any digits or figures or combination of digits or figures in respect of which the offence is alleged to have been committed shall be presumed to relate to *Worli Matka* gaming or some other form of gaming unless the contrary is proved by the accused.”

Insertion of section 5A in Bom. IV of 1887.

4. After section 5 of the principal Act, the following section shall be inserted, namely :—

Seizure of register, record or writing by certain police officers.

“5A. Where —

(i) in any area for which a Commissioner of Police has been appointed, a police officer not below the rank of a Deputy Commissioner of Police, and

(ii) elsewhere, a police officer not below the rank of a Deputy Superintendent of Police,

is of the opinion that any register, record or writing of any kind whatsoever which contains digits or figures or combination of digits or figures relates to *Worli Matka* gaming or some other form of gaming, he shall be entitled to seize the same, and such register, record or writing shall be presumed to be an instrument of gaming unless it is shown by the person from whom it is seized that it is a register, record or writing of any transaction in connection with a lawful trade, industry, business, profession or vocation or of any lawful personal transaction of any person or it is otherwise not an instrument of gaming.”

Amendment of section 12 of Bom. IV of 1887.

5. In section 12 of the principal Act, for the words “or with imprisonment” the words “and with imprisonment” shall be substituted.

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PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the President on the 15th December, 1990 is hereby published for general information.

R. M. MEHTA,

Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 20 OF 1990.

(First published after having received the assent of the President in the "Gujarat Government Gazette" on the 19th December, 1990).

An Act further to amend the Bombay Prevention of Gambling Act, 1887.

It is hereby enacted in the Forty-first Year of the Republic of India as follows :—

1. (1) This Act may be called the Bombay Prevention of Gambling (Gujarat Amendment) Act, 1990.

Short
title
and
commence-
ment.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

2. In the Bombay Prevention of Gambling Act, 1887 (hereinafter referred to as "the principal Act"), in section 3, in the paragraph defining the expression "common gaming house" in clause (i), for item (f), the following item shall be substituted, namely :—

Amendment
of section 3
of Bom. IV
of 1887

Bom.
IV of
1887.

"(f) on the pictures, digits or figures of one or more playing cards or other documents or objects bearing numbers, or on the total of such digits or figures, or on the basis of the occurrence or non-occurrence of any uncertain future event or on the result of any draw, or on the basis of the sequence or any permutation or combination of such pictures, digits, figures, numbers, events or draws;"

Amendment
of section 3A
of Bom. IV
of 1887.

3. In the principal Act, in section 3A, in sub-section (1),-

(1) for the words "digits or figures or combination of digits or figures", where they occur at two places, the words "pictures, digits or figures or combination of pictures, digits or figures" shall be substituted;

(2) in the marginal note, for the words "digits or figures", the words "pictures, digits or figures" shall be substituted.

Amendment
of section 4
of Bom. IV
of 1887.

4. In the principal Act, section 4 shall be re-numbered as sub-section (1) of that section and-

(1) in sub-section (1) as so re-numbered, for the words "which may extend to six months", the words "which may extend to two years" shall be substituted;

(2) in the proviso,-

(a) in clause (a), for the words "one month and fine shall not be less than two hundred rupees", the words "three months and fine shall not be less than five hundred rupees" shall be substituted;

(b) in clause (b), for the words "three months and fine shall not be less than two hundred rupees," the words "six months and fine shall not be less than one thousand rupees" shall be substituted;

(c) in clause (c), for the words "six months and fine shall not be less than two hundred rupees", the words "one year and fine shall not be less than two thousand rupees" shall be substituted;

[(3) after sub-section (1) as so re-numbered, the following new sub-section shall be inserted, namely :-

"(2) Nothing contained in the provisions of the Probation of Offenders Act, 1958 or in sub-sections (1), (4), (5) and (6) of section 360 of the Code of Criminal Procedure, 1973 shall apply to any person convicted under this section."

XX of
1958.
2 of
1974.

Amendment
of section 5
of Bom. IV
of 1887.

5. In the principal Act, in section 5,-

(1) for the words "which may extend to six months", the words "which may extend to nine months" shall be substituted;

(2) in the proviso,-

(a) in clause (a), for the words "one month and fine shall not be less than two hundred rupees", the words "two months and fine shall not be less than three hundred rupees" shall be substituted;

(b) in clause (b), for the words "three months and fine shall not be less than two hundred rupees", the words "four months and fine shall not be less than three hundred rupees" shall be substituted;

(c) in clause (c), for the words "six months and fine shall not be less than two hundred rupees", the words "nine months and fine shall not be less than three hundred rupees" shall be substituted;

6. In the principal Act, in section 5A, for the words "digits or figures or combination of digits or figures", the words "pictures, digits or figures or combination of pictures, digits or figures" shall be substituted.

Amendment
of section 5A
of Bom. IV
of 1887.

7. In the principal Act, in section 6, in sub-section (1),—

Amendment
of section 6
of Bom. IV
of 1887.

(1) in clause (i), for the words "or authorised in each case by special warrant issued by the Commissioner of Police", the words "by the Commissioner of Police or authorised in each case by special warrant issued by any police officer not below the rank of Deputy Commissioner of Police or, as the case may be, Superintendent of Police" shall be substituted;

(2) in the proviso, for the portion beginning with the words "unless the Commissioner of Police" and ending with the words "is satisfied", the words, brackets and figure "unless the authority competent to so authorise under sub-section (1) is satisfied" shall be substituted;

8. In the principal Act, in section 12, in the second paragraph beginning with the words "Any such person"—

Amendment
of section 12
of Bom. IV
of 1887.

(1) for the words "punishable with fine", the words "punished both with fine" shall be substituted;

(2) for the words "punishable in the manner", the words "punished in the manner" shall be substituted.



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PART - IV

Acts of the Gujarat Legislature and Ordinances promulgated
and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 1st March, 2003 is hereby published for general information.

V. M. KOTHARE,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 4 OF 2003.

(First published, after having received the assent of the Governor in the "Gujarat Government Gazette", on the 3rd March, 2003).

AN ACT

further to amend the Bombay Prevention of Gambling Act, 1887.

It is hereby enacted in the Fifty-fourth Year of the Republic of India as follows:-

1. This Act may be called the Bombay Prevention of Gambling Short title. (Gujarat Amendment) Act, 2003.

Amendment of
section 6 of
Bom. IV of
1887.

2. In the Bombay Prevention of Gambling Act, 1887, in section 6, in sub-section (1), before clause (i), the following clauses shall be inserted, namely :- Bombay, IV
of 1987.

- “(ia) in any area of the State, not below the rank of Sub-Inspector of Police, authorised in each case by special warrant issued by the Additional Director General of Police (Law and Order) or whoever is holding that post in any rank or Additional Director General of Police C.I.D. (Crime); and
- (ib) in any area of police range not below the rank of Sub-Inspector of Police, authorised in each case by special warrant issued by the Special Inspector General of Police or Deputy Inspector General of Police appointed for the respective police range; and”
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