



The Maharashtra Dog Race-Courses Licensing Act, 1976

Act 33 of 1976

Keyword(s):

Dog-Race, Race-Course, Schedule, Licensing

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THE MAHARASHTRA DOG RACE-COURSES LICENSING ACT, 1976.

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Schedule

MAHARASHTRA ACT No. XXXIII OF 1976¹

[THE MAHARASHTRA DOG RACE-COURSES LICENSING ACT, 1976.]

[29th July 1976]

An Act to provide for the regulation, control and management of dog-racing in the State of Maharashtra and for matters connected therewith.

WHEREAS it is expedient to provide for the regulation, control and management of dog-racing in the State of Maharashtra and for matters connected therewith; It is hereby enacted in the Twenty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Maharashtra Dog Race-courses Licensing Act, 1976. Short title, extent and commencement.
- (2) It extends to the whole of the State of Maharashtra.
- (3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

2. In this Act, unless the context requires otherwise,— Definitions.
 - (a) "dog-race" means a race in which an object propelled by mechanical means is pursued by dogs ;
 - (b) "race-course" means any ground on which a dog-race can be held ;
 - (c) "Schedule" means the Schedule appended to this Act.

3. (1) No dog-race shall be held save on a race-course for which a licence for dog-racing granted in accordance with the provisions of this Act, is in force. Prohibition against dog-racing on unlicensed dog race-courses.
- (2) The terms of such licence shall be published in the *Official Gazette*.

4. (1) The owner, lessee or occupier of any race-course may apply to the State Government for a licence for dog-racing on such race-course. Licence for dog-racing.
- (2) The State Government may withhold such licence or grant it subject to such conditions and for such period as it may think fit. Such conditions may provide for—
 - (a) the payment of a licence fee ;
 - (b) the amount of stakes which may be allotted for different kinds of dogs ;
 - (c) such other matters, whether directly or indirectly connected with dog-racing, for which, in the opinion of the State Government, it is necessary or expedient to make provision in the licence.
- (3) The State Government may by such licence authorize the licensee to grant, subject to such conditions as shall be specified by the State Government in such licence, a permit to any book-maker to carry on his business or vocation or to act as a book-maker or turf commission agent in respect of dog-races held on a dog race-course, being a race-course which is situated in this State or outside it. The permit may be granted for such period not exceeding the period of the licence granted to the licensee as the licensee may think fit.

¹ For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, 1976, Part V, page 307.

(4) The State Government may at any time cancel any licence granted under this section in the event of any breach of the conditions subject to which it is granted.

Penalty for taking part in dog-race on unlicensed race-course.

5. Whoever takes part in any dog-race on any race-course for which a licence granted in accordance with the provisions of section 4 of this Act is not in force shall, on conviction, be punished with fine which may extend to two hundred rupees.

Penalty for owner, etc. allowing dog-racing in unlicensed place.

6. If any dog-race is held on any race-course for which a licence granted in accordance with the provisions of section 4 of this Act is not in force, any person being the owner, lessee or occupier of such race-course shall, on conviction, be punished with fine which may extend to one thousand rupees.

Penalty for contravening conditions of licence.

7. (1) If any person to whom a licence has been granted in accordance with the provisions of section 4 of this Act contravenes any of the conditions subject to which such licence is granted, such person shall, on conviction, be punished with fine which may extend to one thousand rupees.

(2) If any person to whom a permit has been granted by a licensee in pursuance of the provisions of sub-section (3) of section 4 of this Act, contravenes any of the conditions subject to which such permit is granted he shall, on conviction, be punished with fine which may extend to one thousand rupees.

Cognizance of offences under this Act.

8. No Court inferior to that of a Metropolitan Magistrate or of a Magistrate of the First Class shall try any offence punishable under this Act.

Exemption.

9. The State Government may from time to time by general or special order published in the *Official Gazette* exempt any dog-race from the operation of this Act.

Rules.

10. (1) The State Government may, subject to the condition of previous publication, by notification in the *Official Gazette*, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act shall be laid as soon as may be after it is made before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, and notify such decision in the *Official Gazette*, the rule shall from the date of publication of such notification 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 or omitted to be done under that rule.

Amendment of certain Acts.

11. The Acts mentioned in column 1 of the Schedule shall be amended in the manner and to the extent specified in column 2 of the Schedule.

MAHARASHTRA ACT No. XXXIII OF 1976¹

[THE MAHARASHTRA DOG RACE-COURSES LICENSING ACT, 1976.]

[29th July 1976]

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2. In this Act, unless the context requires otherwise,— Definitions.
 - (a) "dog-race" means a race in which an object propelled by mechanical means is pursued by dogs ;
 - (b) "race-course" means any ground on which a dog-race can be held ;
 - (c) "Schedule" means the Schedule appended to this Act.

3. (1) No dog-race shall be held save on a race-course for which a licence for dog-racing granted in accordance with the provisions of this Act, is in force. Prohibition against dog-racing on unlicensed dog race-courses.
- (2) The terms of such licence shall be published in the *Official Gazette*.

4. (1) The owner, lessee or occupier of any race-course may apply to the State Government for a licence for dog-racing on such race-course. Licence for dog-racing.
- (2) The State Government may withhold such licence or grant it subject to such conditions and for such period as it may think fit. Such conditions may provide for—
 - (a) the payment of a licence fee ;
 - (b) the amount of stakes which may be allotted for different kinds of dogs ;
 - (c) such other matters, whether directly or indirectly connected with dog-racing, for which, in the opinion of the State Government, it is necessary or expedient to make provision in the licence.
- (3) The State Government may by such licence authorize the licensee to grant, subject to such conditions as shall be specified by the State Government in such licence, a permit to any book-maker to carry on his business or vocation or to act as a book-maker or turf commission agent in respect of dog-races held on a dog race-course, being a race-course which is situated in this State or outside it. The permit may be granted for such period not exceeding the period of the licence granted to the licensee as the licensee may think fit.

¹ For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, 1976, Part V, page 307.

(4) The State Government may at any time cancel any licence granted under this section in the event of any breach of the conditions subject to which it is granted.

Penalty for taking part in dog-race on unlicensed race-course. 5. Whoever takes part in any dog-race on any race-course for which a licence granted in accordance with the provisions of section 4 of this Act is not in force shall, on conviction, be punished with fine which may extend to two hundred rupees.

Penalty for owner, etc. allowing dog-racing in unlicensed place. 6. If any dog-race is held on any race-course for which a licence granted in accordance with the provisions of section 4 of this Act is not in force, any person being the owner, lessee or occupier of such race-course shall, on conviction, be punished with fine which may extend to one thousand rupees.

Penalty for contravening conditions of licence. 7. (1) If any person to whom a licence has been granted in accordance with the provisions of section 4 of this Act contravenes any of the conditions subject to which such licence is granted, such person shall, on conviction, be punished with fine which may extend to one thousand rupees.

(2) If any person to whom a permit has been granted by a licensee in pursuance of the provisions of sub-section (3) of section 4 of this Act, contravenes any of the conditions subject to which such permit is granted he shall, on conviction, be punished with fine which may extend to one thousand rupees.

Cognizance of offences under this Act. 8. No Court inferior to that of a Metropolitan Magistrate or of a Magistrate of the First Class shall try any offence punishable under this Act.

Exemption. 9. The State Government may from time to time by general or special order published in the *Official Gazette* exempt any dog-race from the operation of this Act.

Rules. 10. (1) The State Government may, subject to the condition of previous publication, by notification in the *Official Gazette*, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act shall be laid as soon as may be after it is made before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, and notify such decision in the *Official Gazette*, the rule shall from the date of publication of such notification 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 or omitted to be done under that rule.

Amendment of certain Acts. 11. The Acts mentioned in column 1 of the Schedule shall be amended in the manner and to the extent specified in column 2 of the Schedule.

SCHEDULE
(See section 11)

Name of Act 1	Amendments 2
1. The Bombay Prevention of Gambling Act, 1887 (Bom. IV of 1887).	<p>In section 3—</p> <p>(1) for the words " a horse-race " the words " a horse-race or dog-race " shall be substituted ;</p> <p>(2) in clause (b), after the figures " 1912 ", the following shall be inserted, namely :—</p> <p style="padding-left: 40px;">Mah. XXXVII of 1976. " or as the case may be, of the Maharashtra Dog Race-courses Licensing Act, 1976, "</p>
The Bombay Entertainments Duty Act, 1923 (Bom. I of 1923).	<p>In section 3, in sub-section (1), after the figures " 1912 ", the following shall be inserted, namely :—</p> <p style="padding-left: 40px;">Mah. XXXIII of 1976. " or under the Maharashtra Dog Race-courses Licensing Act, 1976, "</p>
3. The Bombay Betting Tax Act, 1925 (Bom. VI of 1925).	<p>(1) In section 4,—</p> <p>(i) in clause (i), after the words " horse-race ", the words " or dog-race " shall be inserted;</p> <p>(ii) in clause (v), after the figures " 1912 ", the following shall be inserted, namely:—</p> <p style="padding-left: 40px;">Mah. XXXIII of 1976. " or of the Maharashtra Dog Race-courses Licensing Act, 1976, " ;</p> <p>(iii) in clause (vi),—</p> <p>(a) after the figures " 1912 ", the following shall be inserted, namely:—</p> <p style="padding-left: 40px;">Mah. XXXIII of 1976. " or of the Maharashtra Dog Race-courses Licensing Act, 1976, " ;</p> <p>(b) after the words " horse-race " the words " or dog-race " shall be inserted ;</p> <p>(iv) in clause (vii), after the figures " 1912 ", the following shall be inserted, namely:—</p> <p style="padding-left: 40px;">Mah. XXXIII of 1976. " or, as the case may be, the Maharashtra Dog Race-courses Licensing Act, 1976 " .</p> <p>(2) In section 6, after the words " horse-race ", the words " or any dog-race " shall be inserted.</p> <p>(3) In section 8, after the figures " 1912 ", the following shall be inserted, namely :—</p> <p style="padding-left: 40px;">Mah. XXXIII of 1976. " or, as the case may be, the Maharashtra Dog Race-courses Licensing Act, 1976 " .</p>