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## NOTIFICATION

No. G.16010/39/90-FSL the 24th June, 1994. In the interest of public, the Governor of Mizoram hereby makes the following rules for the purpose of conducting Mizoram State Lotteries, namely :—

### 1. SHORT TITLE AND COMMENCEMENT :—

- (1) These rules may be called the Mizoram State Lotteries Rules, 1994.
- (2) They shall come into force with immediate effect.

### 2. DEFINITIONS :—

In these rules, unless the context otherwise requires,

- (a) “agreement” means an agreement signed between Government of Mizoram and Sole Distributor/Selling agents/Printing press/etc;
- (b) “Director” means the Director of Mizoram State Lotteries;
- (c) “Government” means the Government of Mizoram;
- (d) “lottery” means a lottery/lotteric Government of Mizoram;
- (e) “sale proceeds” means the wholesale price at which the total printed tickets for a particular draw of lottery is sold to Sole Distributor or its Selling Agent;
- (f) “Sole Distributor/Selling agent” means the Firm with whom the agreement for marketing /distributing of lottery tickets is executed;

- (g) "State" means the State of Mizoram, and the word "State Lottery" shall be construed accordingly;
- (h) "tickets" means the State Lottery tickets released for sale in respect of a particular draw and shall include open number tickets as well as instant lottery tickets.

### 3. ADMINISTRATION OF LOTTERIES :—

- (1) The Mizoram State Lotteries shall be conducted by the Government of Mizoram.
- (2) The Mizoram State Lotteries shall be administered by the Director under the administrative control of the Finance Department of the Government.
- (3) The headquarters of the Directorate of Mizoram State Lottery shall be at Aizawl.

### 4. APPOINTMENT OF SOLE DISTRIBUTOR/SELLING AGENT :—

The Government may, by floating open tenders or such other manners as deemed appropriate, appoint any firm/person to sell market the tickets as Sole Distributor/Selling agent for such a period determined by the Government in accordance with the terms and conditions of the Agreement.

### 5. APPOINTMENT OF STOCKIST/AGENT, ETC :—

The Sole Distributor may, at its own discretion, appoint stockist/agent/sub-agent to sell lottery tickets direct to the general members of the public.

### 6. AGREEMENT :—

- (1) Agreement made by the Government with any firm/person/ should be expressed in the name of the Governor of Mizoram and should be signed by such Officers authorised to sign on behalf of the Government.
- (2) The Agreement made under sub-rule (1) shall specifically mention the total number of daily/weekly/ instant/ bumper draws to be conducted by the Government from time to time during the period covered by the agreement.
- (3) All agreements entered into between the Government and the Sole Distributor/ Selling Agent prior to the commencement of these rules, shall as far as they are not inconsistent with the provisions of these rules, be deemed to have been entered under the corresponding provisions of these rules:

Provided that where the existing agreement are inconsistent with these rules, they shall continue in their present form till a fresh negotiation is made between the Government and the Sole Distributor or till the expiry of the period of the agreement, as the case may be.

## 7. PRINTING OF LOTTERY TICKETS :-

- 1) The Government shall arrange to get the tickets printed sufficiently in advance with Logo/emblem of the State imprinted on each ticket.
- 2) The format of the ticket shall be designed and approved by the Director on behalf of the Government.
- 3) Terms and conditions to be printed on the back of the ticket shall be decided from time to time by the Director and it shall form part of the agreement signed between the Government and the Sole Distributor/Selling Agent/etc.
- 4) The tickets printed for each draw the Director.
- (5) Tickets shall be printed distinctly and in separate series. Each such series shall be distinguished by alphabetical notation, such as A,B,C,D and so on or each such series shall be distinguished by numerical notation such as 0 (nought) to 9 (nine) to be preceded by alphabetical notation like A,B,C,D or AA, BB, CC, DD and the like.
- (6) The Director or his representative shall deliver printed tickets to Sole Distributor/Selling Agent appointed by the Government.
- (7) The tickets shall be printed in English.

## 8. RATES OF TICKET :-

The rate of lottery ticket shall be fixed at Re. 1/- for Daily/Weekly draws. In respect of Instant and Bumper draws the rate per ticket shall normally not exceed Rs. 3/-. However, these rates may be increased or decreased in conformity with the market conditions/demands.

## 9. PRIZES :-

- (1) The rate of first prize and the rest of prizes shall be fixed by the Director. However, the total value of prizes including bonus/incentive to Stockists/Agents/Sellers, shall not be less than 60% of the total value of the tickets printed for each draw.
- (2) No ticket shall be eligible for more than one prize in a draw.
- (3) All prizes are guaranteed by the Government.



#### 10. DRAW OF LOTTERY :—

- (1) The date of draw shall generally be indicated on the ticket itself.
- (2) The Director shall have the right to postpone the date of draw for reasons to be recorded in writing.
- (3) The draw shall be conducted by means of "lottery machine" specially designed for the purpose.
- (4) The draw shall be held open to the public at any place in Aizawl or such other places as decided by the Government under the strict supervision of the Director or his representative in the presence of two Judges specially nominated by the Government for the purpose.
- (5) At any time, during the draw, one Judge shall form the quorum.
- (6) After the draw is over, the original result sheet shall be kept in the safe custody of the Office of the Director for a minimum period of 6 (six) months or for such period as the Government may determine.
- (7) As soon as each draw is over, Director shall supply to the Sole Distributor/Selling Agent or his local representative a copy of the result of the draw duly authenticated by the Director or any Officer authorised by him.
- (8) The Judges will be entitled to the honorarium for the draw, the rate of which shall be fixed by the Government from time to time.
- (9) Timing of draw of each Lottery shall be determined by the Director.

#### 11. PUBLICATION OF RESULTS :—

- (1) The list of prize winning ticket numbers in each draw shall be published in the Official Gazette and such publication shall be deemed to be the official announcement of the result of the draw.
- (2) The results of each draw may also be published in the local dailies as well as national daily newspapers having all India circulation and also other newspapers of regional languages.
- (3) The Sole Distributor/Selling Agent shall be allowed to popularise the Mizoram State Lottery schemes at his own expenses provided that such publicity shall not, in any way lower the prestige of the Government.

#### 12. CLAIM OF PRIZES :—

- (1) All claims of taxable prizes shall be submitted to the Director alongwith,—
  - a) claim form duly filled in;

- b) original prize winning ticket with one photostat copy of the ticket duly attested by the Gazetted Officer;
  - c) three copies of passport size photograph of the winner duly attested by Gazetted Officer
  - d) an affidavit of ownership of the prize winning ticket from any Magistrate.
- (2) The Government shall be responsible for payment of all prizes in various draws. However, it may, if it so deems necessary, authorise each Sole Distributors/Selling agents to disburse prize directly to the prize winners the amount of which falls under non-income tax brackets. And the Sole Distributor/Selling agent should render the prize winning tickets alongwith account of such prizes paid by them to the Government within a period of 120 days from the date of draw. On submission of account to the satisfaction of the Director, the amount involved shall
- (3) All prizes of each draw should be claimed by the prize winners within 45 days, from the date of draw failing which the Government shall, in no case, be held responsible for non-payment of prizes. However, Government reserves the right to disburse the prize even if the claim is received after 45 days, but the maximum period of the same should, in no way, exceed 120 days from the date of draw. The unclaimed prizes or otherwise not distributed by way of prizes shall become the property of the Government.
- (4) The Government shall not be liable to pay the prize money on ticket which is lost in postal transit.
- (5) The Government shall not be liable to pay prize money on ticket which is lost or mutilated in such a way that its genuineness cannot be verified.

### 13. EXAMINATION OF PRIZE WINNING TICKETS :-

The prize winning tickets received by the Director through the Sole Distributor or directly from the holder will be examined carefully in line with the following :-

- (a) the ticket which is found genuine may be referred to the printer of the ticket for final authentication if its genuineness;
- (b) the intact may be accepted for examining its genuineness;
- (c) a ticket which is tampered, in any way shall not be entitled to any prize money. Any person claiming the prize money with tampered be sued in the Court of Law.



**14. PAYMENT OF PRIZE MONEY :-**

The Director shall disburse prize money to the winners hailing from outside Mizoram in the form of Demand Draft and to the winner inside Mizoram in the form of Cheque.

**15. MODE OF PAYMENT TO AND BY THE GOVERNMENT :-**

- (1) All payment due to the Government shall be made by the Sole Distributor/Selling Agent by Demand Draft only on any Nationalised Bank located at Aizawl in the name of the Director.
- (2) The Government shall initially credit all the amounts received in a Bank account in the State Bank of India or any other Nationalised Bank in the name
- (3) The transaction relating to the payment of Prize Money, charges for publication of results in local Newspaper and all other miscellaneous expenses incurred by the Government in connection with the lottery draw etc. shall be do

**16. OTHER LIABILITIES AND OBLIGATIONS OF THE SOLE DISTRIBUTOR/SELLING AGENT TOWARDS THE GOVERNMENT —**

The lottery tickets shall be issued to the Sole Distributor/Selling Agent at a wholesale rate to be determined by the Government of Mizoram based on the scheme of its lottery individually or collectively. The Sole Distributor shall deposit with the Government, the sale proceed of the ticket issued to him in a manner as decided by the Government.

**17. BANK GUARANTEE :-**

- (1) Performance guarantee — The Sole Distributor/Selling Agent shall keep sufficient money, at least, of Rs. 1.00 Lakh at the disposal of the Director as a performance guarantee before the terms and conditions of the agreement are implemented.
- (2) The Sole Distributor/Selling Agent shall furnish to the Government a Bank Guarantee from any Nationalised/ amount which will be determined in the agreement ceeds payable by the Sole Distributor/Selling Agent. In case, the Bank Guarantee is given for any period shorter than the entire period of agreement, the Sole Distributor/Selling Agent shall get it renewed for the rest period of the agreement positively failing which an ex-parte decision towards invocation may be taken by the Government. Also the Bank Guarantee shall be for and conditions of the agreement on the part of Sole Distributor/Selling Agent.



In the event of the necessity arising out of the views of the Government as well as the Sole Distributor/Selling Agent, the stipulated amount of Bank Guarantee may be revised from time to time.

## 18. ACCOUNTS AND AUDIT :—

- (1) The Sole Distributor/Selling Agent shall arrange to furnish the accounts for each draw in a complete manner within 120 days from the date of draw of respective lotteries and make it ready for Audit/Inspection by the Officer appointed by the Government.
- (2) The Director reserves the right to enquire into the Lottery business of the Sole Distributor/Selling Agent concerning the State Lottery at any time.

## 19. ARBITRATION :—

In case of any difference or disputes between the Government and the Sole Distributor/Selling Agent on any matter pertaining to or arising out of the agreement signed by both parties, the point of disputes shall be referred to the Governor of Mizoram whose decision shall be final binding on both parties.

## 20. LITIGATION CHARGES :—

The expenses, if any, incurred by the Government on litigation relating to payment of sale proceeds shall be fully borne by the Sole Distributor/Selling Agent and any expenditure initially incurred by the Government shall be adjusted from the performance guarantee of the Sole Distributor/Selling Agent.

## 21. INHERENT POWERS :—

The Government may alter or modify these rules and the terms and conditions governing the Mizoram State Lottery at any time.

## 22. LOCAL/PRIVATE LOTTERIES :—

- (1) Save as provided in these rules, all lotteries conducted by private parties, associations, firms or other persons without prior permission of the Government or any Officers authorised in this behalf are illegal and liable to punishment as per provision of Sub-rule (2).
- (2) Any private parties, associations, firms or to have conducted such types of trade as lottery without obtaining prior permission from the Government or any Officers authorised in Section 294 A of the Indian Penal Code, 1860 (Central Act 45 of 1860).
- (3) Permission for conduct of Lottery may be issued by the Director after obtaining approval of the Government. In no case, permission will be issued unless the following conditions are fulfilled by the applicants, namely -

- a) reason for conduct of lottery must be a charitable ground or purpose only;
  - (b) the applicant shall be an organisation/firms which are well established, reputed and recognized
  - c) all the profits out of the lottery should invariably go to the purpose for which the permit is given;
  - d) the scheme should be only for one/single draw at a time;
  - e). no portion or the whole amount of such prizes in the local private lottery or lucky ticket shall be paid in terms of money and it shall be paid in kind;
  - f) the total value of all prizes (in kind) for any draw shall not be less than 50% of the total value of the ticket printed. The applicant shall deposit to the Director, 25% of the value of prizes by means of Call deposit/Cash/etc. as Security deposit before issuing permission;
  - g) The applicant shall deposit a fee to the Government at the rate of one percent of the total value
- (4) Claim period of prizes shall be 45 days from the date of drawal of results.
  - (5) No extension of time for draw of the result shall be granted after marketing the tickets.
  - (6) Drawal of results shall be conducted under the supervision of the Director or his representative in the presence of two Judges nominated by the Government.
  - (7) Payment of prizes should be completed within 60 days from the date of draw failing which Government reserves the right to make payment of prizes from the Security deposit.

### 23. INTERPRETATION :—

If any question arises as to the interpretation of these rules or in-regard to any matter not expressly provided for in these rules, the matter shall be referred to Governor of Mizoram and the decision of the Governor of Mizoram thereon shall be final.

### 24. LEGAL JURISDICTION c—

The Legal Jurisdiction of the Mizoram State Lottery shall be extended to any competent Court located at Aizawl, Mizoram only.



(2) It shall be the duty of the village council to prevent the destruction or unauthorised alteration of the village boundary marks.

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| Penalty for removing boundary marks | 21. Any person wilfully erasing, removing or damaging or altering a boundary marks shall, on conviction, be punishable with imprisonment for a term which may extend to one year or with fine not exceeding one thousand rupees or with both.  |
| Survey fees                         | 22. The holder of any land or premises or any person who have interested in the land which has been surveyed under this Act shall be liable to pay to the Officer or authority incharge of the survey a survey fee at such rate and in such manner within such time and to such extent as the State Government may prescribe. Any Survey fee not so paid shall be recoverable as an arrear of land revenue.  |
| Register of mutations               | 23. There shall be maintained for every village a register of mutation in such form as may be prescribed.  |
| Acquisition of right to be reported | 24. (1) Any person acquiring by succession, survivorship, inheritance, partition, purchase, exchange, mortgage, gift, lease or otherwise, any right in land, shall report in writing his acquisition of such right to the competent authority within three months from the date of such acquisition, and the said officer shall at once give a written acknowledgement of the receipt of the report of the person making it.   |
|                                     | Provided that where the person acquiring the right is a minor or otherwise disqualified, his guardian or other person having charge of his property shall make the report to the competent authority.  |
| Register of disputed cases          | 25. (1) There shall be maintained for every village a register of disputed cases in such form as may be prescribed.<br><br>(2) The competent authority shall enter the particulars of objections in the register of disputed cases and shall at once give a written acknowledgement in the prescribed form for the objection to the person making it.<br><br>(3) No disputed cases shall be admitted and enter in the register of disputed case without payment of process fee as may, from time to time, be prescribed by the State Government. |
| Maintenance of maps and records     | 26. (1) All maps, registers and other documents connected with the survey approved by the State Government shall be deposited in the Office of the Officer or authority in charge of the Survey.   |

(2) All such maps, registers, and other documents shall be maintained by such Officer or authority as in sub-section (1) in the prescribed manner.

(3) Such Officer or authority as in sub-section (1) shall cause maps and the records to be revised or corrected therein all changes that may take place any transaction that may affect any of the rights or interests recorded, in the prescribed manner and at prescribed intervals, by such officer as may be appointed in this behalf by or with the approval of the State Government.

(4) The Officer appointed under sub-section (3) for the purpose of revising any map or correcting entries in any register or other documents shall exercise such power as may be prescribed.

Inspection  
and grant of  
copies of ex-  
tracts from  
Maps, Registers  
and other  
documents

27. (1) All maps, registers and other documents referred to in sub-section (1) of section 26 shall be opened to public inspection in such manner, within such hours and at such places, subject to such conditions and on payment of such fees as the State Government may prescribe.

(2) Certified copies of, or extracts of such maps, registers, and documents as in sub-section (1) shall be granted on payment of such copying fees and in such manner as the State Government may prescribe.

Cancellation  
of Patta  
Pass Book

28. (1) The State Government or the authority authorised by the Government may, by notification stating reasons, cancel the Patta Pass Book for any of the following grounds namely:—

(a) If, at any time, the State Government is satisfied that the Officer or authority is not competent to perform or makes default in the performances of the duties imposed on it by or under this Act or any other law for the time being in force or exceeds or abuses its power; or

(b) If a decree or order is passed by a competent court or authority with respect to offences relating to deeds or documents or forgery or making a false document; or

(c) If a decree or order is passed by a competent court in a suit or other proceedings with respect to the holding for which a Patta Pass Book was granted shows that the holder was not entitled to the Patta Pass Book; or



## 25. REPEAL AND SAVING :—

On and from the commencement of these rules, the Mizoram State Lottery Rules, 1992 and any other rules preceding to these rules shall stand repealed:

Provided that all action taken or deemed or have been taken under the rules so repealed shall be taken into account as action taken or deemed to be taken under these rules.

J.K. Sanglura,  
Financial Commissioner,  
Government of Mizoram.