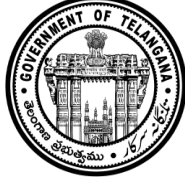


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తెలంగాణ రాజపత్రము
THE TELANGANA GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 4] HYDERABAD, SATURDAY, JUNE 17, 2017.

**TELANGANA ACTS, ORDINANCES AND
REGULATIONS Etc.**

The following is the authoritative text in English language of the Ordinance promulgated by the Governor on the 17th June, 2017 being published under article 348 (3) of the Constitution of India for general information:-

TELANGANA ORDINANCE No. 4 OF 2017.

Promulgated by the Governor in the Sixty-eighth year of the Republic of India.

**AN ORDINANCE FURTHER TO AMEND THE
TELANGANA STATE GAMING ACT, 1974.**

WHEREAS, the Legislature of the State is not now in session and the Governor of Telangana is satisfied that circumstances exist which render it necessary for him to take immediate action;

[1]

O. 81 (RSN)

Now, therefore in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor hereby promulgates the following Ordinance:-

Short title and commencement.

1. (1) This Ordinance may be called the Telangana State Gaming (Amendment) Ordinance, 2017.

(2) It extends to the whole of the State of Telangana.

2. In the Telangana State Gaming Act, 1974,

Amendment of sub-section (1) of Section 2.

(1) For clause (ii) of sub-section (1) of section 2, the following shall be substituted, namely;-

“(ii) in the case of any other form of gaming, any house, room, tent, enclosure, vehicle, vessel or any place including Cyber Space whatsoever in which the gaming takes place or other instruments of gaming, are kept or used for such gaming whatsoever in which any instruments of gaming are kept or used for the profit or gain of the person owning, occupying, using or keeping such house, room, tent, enclosure, vehicle, vessel or any place including Cyber Space whatsoever in which the gaming takes place or other instruments of gaming, are kept or used for such gaming, whether by way of charge for the use of such house, room, tent, enclosure, vehicle, vessel or any place including Cyber Space whatsoever in which the gaming takes place or other instruments of gaming, are kept or used for such gaming or instruments of gaming or otherwise howsoever;”

Amendment of sub-section (2) of Section 2.

(2) In sub-section (2) of section 2, in the definition of “gaming”, after the words “mutka or satta”, the words “or online” shall be inserted.

Amendment of sub-section (4) of Section 2.

(3) For sub-section (4) of section 2, the following shall be substituted, namely;-

“(4) Instruments of gaming” includes cards, dice, gaming tables, or cloths, boards or any other article used or intended to be used as a subject or means of gaming, any document, electronic form or record, digital form or record used or intended to be used as a register or record or evidence of any gaming, the proceeds of any gaming includes online electronic transfer of funds or transactions and any winnings or prizes in money or otherwise, distributed or intended to be distributed in respect of any gaming.”

(4) For sub-section (1) of section 3, the following shall be substituted, namely;-

**Amend-
ment of
Section 3.**

“(1) Any person who opens, keeps, operates, or uses or permits to be used any common gaming house or online gaming or conducts or assists in conducting the business of any common gaming house or advances or furnishes money for gaming therein, shall be punishable-

(i) for the first offence, with imprisonment for a term which may extend to one year and with fine which may extend to five thousand rupees; but in the absence of special reasons to be recorded in writing, the punishment awarded under this clause shall be imprisonment for not less than three months and fine of not less than three thousand rupees;

(ii) for every subsequent offence, with imprisonment for a term which may extend to two year and with fine which may extend to Ten thousand rupees but in the absence of special reasons to be recorded in writing the punishment awarded under this clause shall be-

(a) for a second offence, imprisonment for not less than six months and fine of not less than five thousand rupees;

(b) for a third or subsequent offence, imprisonment for not less than one year and fine of not less than Ten thousand rupees.”

**Amend-
ment
of
Section 4.** (5) For section 4, the following shall be substituted,
namely;-

“4. Penalty for being found gaming in a common gaming house: - Whoever is found gaming, or present for the purpose of gaming in a common gaming house shall, on conviction, be punishable with imprisonment for a term which may extend to six months or with fine which may extend to three thousand rupees, or with both.”

**Amend-
ment of
Section 5.** (6) For section 5, the following shall be substituted,
namely;-

“5. (1) All the offences under this Act are cognizable and Non-Bailable.

(2) Any Police Officer not below the rank of Sub-Inspector of Police has got authority-

i) to enter with such assistance as may be found necessary, at any time and by force, if necessary any such place;

ii) to arrest all persons found therein;

iii) to search all such persons and all parts of such place; and

iv) to seize-

(a) all moneys found with such persons;

(b) all investments of gaming; and

(c) all moneys, all securities for money and articles of value reasonably suspected to have been used or intended to be used for the purpose of gaming which are found in such place.

v) to freeze bank accounts which are used for the purpose of gaming.

**A m e n d -
ment of
Section 6.** (7) For section 6, the following shall be substituted,
namely;-

“6. Instruments of gaming found in a place entered or searched to be evidence that the place is common gaming house:- Where any instruments of gaming are found in any place entered or searched, on or about the person found therein, it shall be presumed that such place is used as a common gaming house and that the persons found therein were present there for the purpose of gaming although no gaming was actually seen by the police officer or any of his assistants.”

(8) For section 7, the following shall be substituted, namely;- **Amend-
ment of
Section 7.**

“7. Provisions of Sections 4 and 6 not to apply in certain cases:- Nothing in the Explanation to Section 4 or in Section 6 shall apply to persons found in a premises or place belonging to or occupied by a club, society or other association of persons, whether incorporated or not, unless such persons are actually found gaming in such premises or place.”

(9) For section 9, the following shall be substituted, namely;- **Amend-
ment of
Section 9.**

“9. Penalty for gaming or setting birds or animals to fight in a public street or place:- (1) Whoever is found gaming or reasonably suspected to be gaming in any public street or thoroughfare or in any place to which the public have, or are permitted to have, access shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five thousand rupees or with both.

(2) Whoever is found setting any birds or animals to fight or is reasonably suspected to be aiding or abetting such fighting of birds or animals in any public street or thoroughfare or in any place to which the public have, or are permitted to have, access, shall be punishable with

imprisonment for a term which may extend to six months or with fine which may extend to five thousand rupees or with both.”

Amend-
ment of
Section
15.

(10) After section 15, the following explanations shall be added, namely;-

“Explanation I:

A skill game is a game which is totally based on skill and ability of the person and not otherwise.

Explanation II:

Any game which depends partly on skill and partly on luck or chance cannot be termed as skill game.

Explanation III:

Rummy is not a skill game as it is involved partly skill and partly luck or chance.”

E.S.L. NARASIMHAN,
Governor of Telangana.

BACHINARAMANJANEYULU,
Secretary to Government (i/c),
Legal Affairs, Legislative Affairs & Justice,
Law Department.