



#### EXTRAORDINARY PUBLISHED BY AUTHORITY April, 2007 21<sup>st</sup> Saturday DEPARTMENT OF TOURISM

### GOVERNMENT OF SIKKIM

Dated: 20.04.07

No.154

### No 02/TD

W 8.79

Gangtok

### NOTIFICATION

Whereas a draft of certain rules was published as required by sub-section (1) of section 18 of the Sikkim Casino Games (Control and Tax) Act, 2002 (4 of 2002) dated 04.04.2006 in the Sikkim Government Gazette, Extraordinary no. 112 dated the 25th April, 2006 inviting objection and suggestion from all persons likely to be affected hereby before the expiry of 45 (forty five) days from the date of publication of the Official Gazette

And whereas, no objection or suggestion were received within the said period of 45 (forty five) days;-

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 18 of the Sikkim Casino Games (Control and Tax) Act, 2002 (4 of 2002) the State Government hereby makes the following rules, namely:-

Short title and commencement

2.

1. (1) These rules may be called the Sikkim Casino Games (Control and Tax) Rules, 2007.

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

Definitions

- In these rules; unless the context otherwise requires:-
- (a). "Act" means the Sikkim Casino Games (Control and Tax) Act, 2002,
- (b). "Appellate Authority" means the State Government or such authority as may be appointed by the State Government;
- (c), "Authorized Officer" means any person or persons appointed by the
- State Government for the purpose of the Act; (d). "bailable offence" means an offence which is shown as bailable in the
- first Schedule of Code of Criminal Procedure, 1973;
- (e). "Casino Games" means all or any games of chance in which chance rather than skill determines the outcome;
- (f). "cognizable offence" means an offence which is shown as cognizable in the first Schedule of Code of Criminal Procedure, 1973;
- (g). "Company" means a body corporate registered under the provisions of the Registration of the Companies Act, Sikkim 1961; and includes a firm or
- other association of Individuals duly constituted. (h). "Department" means the Department of Tourism, Government of Sikkim;

- (i). "Government" means the State Government of Sikkim.
- (j). "instruments of gaming" means and includes any article used or intended to be used as a subject, an accessory or means of gaming, any document used or intended to be used as a register or record or evidence of gaming, the proceeds of any gaming, and any winnings or prizes in money or otherwise distributed or intended to be distributed in respect of any gaming.
- (k). "license" means a license granted by the State Government under the provisions of the Act for the purpose of running Casino Games;
- (I). "licensee" means any person/Company/Firm who has been granted a license to install and operate Casino Games;
- (m). "licensed premises" shall mean and include a hotel having infrastructural and other facilities of the standard of any 5 star hotel with capability to establish and operate casinos games;
- (n) "penalty" means a fine imposed by the State Government or any authority for the breach or contravention of any of the rules made hereunder and on conviction before a court of competent jurisdiction.

#### CHAPTER-il

Application for license for Casino Games

Grant of refusal of license

Renewal of License

Suspension or Cancellation of License

1.7

Recovery of fine

Power of Inspection of the Premises  Any interested person/Company/Firms desiring to obtain license to operate Casino Games may apply for issue of license in Form-A.

4. On receipt of such application, the State Government or such officer as may be authorized in this behalf, may after making such enquiry as may be considered necessary, by order in writing, either grant the provisional license or river wars or refuse to grant the license without assigning any reason or reasons.

5. On expiry of the term of license issued under the Act, the license holder shall apply for the renewal of such license in Form A and on receipt of such application for renewal the State Government may at its discretion grant or refuse to renew such license for reasons to be recorded in writing.

6. (1) The State Government may at any time after giving a reasonable opportunity of being heard or after giving show-cause notice of at least one month before in Form-'C', suspend or cancel the license on breach of one or more of the terms and conditionsprescribed in the license or for contravention of any of the provisions of the Act, and for such suspension or cancellation of the license the concerned authority shall record brief reasons for the action taken.

(2) On suspension or cancellation of the license, the concerned authority shall furnish copy of the order of suspension or cancellation containing the reasons thereof to the concerned person/Company/Firm whose license has been suspendent or cancelled.

- All fines imposed under the Act may be recovered in the manner specified by section 421 of the Code of Criminal Procedure, 1973.
- 8. (1)The Authorized Officer or his authorized person in writing shall have the power of inspection of the premises without any search warrant from the Magistrate or court of law before issuance of the certificate of registration and entry in the register for his satisfaction at any convenient and reasonable time

-2-

Power of Seizure and Impose fine .

Supply of seizure

Poweroffixing

Appeal against

Authorized Officer

orderofthe

the rates

Power of cognizance

Memo

(1) During the inspection of the premises of any Casinos, Authorized Officer or any of the authorized person not below the rank of Under Secretary shall enter upon the premises and selze any articles or any materials of offence as materials of evidence for subsequent trial and if the Authorized Officer or authorized person has found that there is any contravention and violation of any of the

(2) The Authorized Cfficer shall have also the power of inspection. In the premises if the complaint is received in writing for involvement of any offence defined

under the Act without search warrant.

rate provided under the Act.

(2) The Authorized Officer shall keep the seized articles in safe custody or he shall forward to the police for the next course of action as the case may be:

provision of these rule, he shall impose the fine thereof as per the prescribed

Provided that If no application is presented, claiming the rightful ownership of the seized article under sub-rule (1), for recovery of possession of such article within three (3) months from the date of seizure, the ownership of such article shall yest with the Government: The amount so collected shall be credited in the exchequer of the Government after duly conducting the public auction.

10. After the seizure of the seized articles, a copy of the seizure memo should be supplied from whom the article was seized in Form-'E'.

11. No cognizance shall be taken unless complaint is received or filed by any persons against the offenders before the Authorized Officer, and he shall have the power to take cognizance on suo-moto the Authorized Officer has reasonable belief about the offence or of contravention of any provision of the Act.

12. The Authorized Officer, may, by Notification in the Official Gazette, fix reasonable/ maximum rates as the Government approves from time to time.

13. (1)Subject to the provision of Section 4 and 6 an appeal shall lie from every order of the Authorized Officer under the Act to the Appellate Authority to be appointed by the Government.

(2) Sovery such appeal shall be preferred within 60 (sixty) days from the date of communication of the order:

(3) The appellant shall have a right to appear through a counsel and the Authorized Officer and Department may be represented by such officer or person or a counsel as the Government may appoint.

(4) On the receipt of any such appeal, the Appellate Authority shall give the appellant and respondent a reasonable opportunity of being heard and after making such enquiry as it deems proper, dispose off the appeal for reason to be recorded.

(5) The proceeding before the Appellate Authority shall be completed within four months of its institution.

Powerofthe

Authorized Officer and Appellate

Authority.

14 The Authorized Officer and Appellate Authority shall have the powers of a Civil Court under the Code of Civil Procedure 1908 (5 of 1908) in respect of the following matters, namely:-

57

-3-

 summoning and enforcing of attendance of the complaint made under this Act and witness required in connection therewith;

(2). compelling the production of any document and materials Exhibits.(3). examining witnesses on oath; and

(4). summoning and examining suo-moto of any person whose evidence appears to be material.

**Explanation:** For the purpose of enforcing the attendance of witnesses and other persons mentioned above, the local limits of the jurisdiction of the prescribed authority extends to the whole of the state.

15. If any person is found carrying on the business in contravention of any provision of the Act and these rules, the license shall summarily be cancelled and penal action shall be initiated against him under the provision of the Act.

16. Any person, desiring to obtain license under Section 4 of the Act, shall produce the No Objection Certificate from the, Health Department (Promotion of Food Adulteration), Energy and Power Department and Directorate of Fire Services.

Keepers, under these rules shall obtain the license, as per the procedure for obtaining license has been detailed below.

(2) On receipt of an application in the prescribed form and subject to the provision of these rules license may be issued in FORM – 'B' for operating of Casino and Casino Games, in a hotel having infrastructural and other facilities of the standard of any 5 (five) star hotel with capability to establish and operate casinos games.

18. The fee in respect of trade license for operating Casino Games under these rules, shall be Rs. 5,000/- (rupees five thousand) along with the prescribed application made under these rules.

19. A person shall be liable for the proceeding if he/she defaults for paymer's of fine imposed by the Authorized Officer and or for any contravention of any of the provision under the Act and rules. The Authorized Officer or his authorized person may also proceed with the institution of the provision of Criminal Procedural Code, 1973 and /or may file complaint before the Police station for registration of the criminal case against the offender.

20. The Authorized Officer or his authorized person may hold an enquiry under the Act at the place of his official Headquarter or at the place where the offence was detected/ occurred.

21. The fine imposed by the Authorized Officer shall be payable within a period of one month failing which the fine may be realized in the manner provided under the Code of Criminal Procedure, 1973 for levy of fines.

22. No Court shall entertain any complaint and take cognizance of any offence unless a written complaint is filed by Authorized Officer or his authorized person or police not below the rank of Police Inspector before a Judicial Magistrate of First Class.

Offence and Penalties

#### Production of No Objection Certificate/License

lesuance of the License

Procedure

for institution of proceeding

Place to hold the enquiry

Period for Payment of fine

Power of Court to try the cases summarily Power of Authorized

Forfelture of Property

Confliscation of . property

issue of showcause notice

Notice to bệ sent by the Registered post

Maintenance of registered and account book and other relevant documents 23. The Authorized Officer or his authorized person shall have the same power as that of the police in respect of conducting enquiries with regard to any offence under the Act.

24. Where any person is convicted or fined for contravention of any provision of these rules such articles, items, shall be forfeited to the Government.

25. Notwithstanding anything contained in the other provision of the Act and rules the authorized officer, where any violation or contravention of any provisions of the Act is believed to have been committed, such authorized officer may, whether or not prosecution is instituted for commission of such offence, order confiscation of property so seized from the premises of the license.

26. No order of confiscation of any property under rules 25 shall be made except after serving a notice in writing to the person or licensee from whom it is seized and reasonable opportunity of hearing is given, if any.

27. All notices or Orders issued under the foregoing rules, shall be sent by registered post to the person registered under the Act as shown in the application form and shall such notices or Orders, as the case may be shall be deemed to have been validly communicated when the notice is duly received by the addressee.

28. (1) Every licensee shall maintain the register and other account books and statement of every day with the following information, duly painted, namely:-

- (i) Name of licensee .....
- (ii) Location
- (iii) Name of the Hotel Keeper, premises/building etc who run the business of casino.
- (iv) Name of the participants
- (v) Address of the participants
- (vi) No. of participants
- (vii) No. of stakes taken
- (viii) Total amount
- (2) Assessment of tax
- (3) Every licensee shall maintain the following books and registers, approved by the Authorized Officer, namely:-
- (i) Complaint/suggestion book to be kept at the reception counter.
- (ii) Participants/visitor register in the form at Annexure
  - 'D'

- (iii) Bill book duly numbered in duplicate; and
- (iv) Receipt book duly numbered in duplicate for receipt of payments/advance.
- (4) The license shall not allow the entry of the participants/ guest/tourist in the hotel room unless his particulars are entered in the guest registration register.
- (5) The licensee also shall not allow entry of the participants/guests/tourists under the age of 18 years or employ in the casino or otherwise allow to take part in the organization or exhibition of such casino game.
- (6) Individual admission fee of Rs. 1500/- (Rupees fifteen hundred) only shall be charged by the licensee to participants/guests/tourists for entry in the casino.
- (7) The casino centre may be kept open 24 hours of the day.

- (8) "licensed premises" shall mean and include a hotel having infrastructural and other facilities of the standard of any 5 star hotel with capability to establish and operate casinos games;
- (9) The llcensee may exhibit and advertise such casino centre by means of common hoardings / newspaper advertisement / pamphlets/brochures/ magazine advertisements/ audio visual advertisements, in or outside the licensed premises.
- (10) License may decide at his own discretion whatever may deem fit for his business to extend credit facilities to the participants of casino and casino games.

29. The Government, if it deems fit expedient and necessary to do so, may by Notification, to be published in the Official Gazette make amendments/repeals to the provisions of these rules.

### Repeal and Saving

#### Form 'B' (See Rule 17) License for Installation of Casino Games

No.....

District .....

This License shall be subject to condition as specified hereunder and as prescribed under the Government Notification in terms of section 3, 4, and 9 of Sikkim Casino Games (Control and Tax) Act, 2002.

- The License shall operate the casino games only in the premises where the license is granted.
- 2). The Licensee shall ensure that no inconvenience/disturbance is caused to the other occupants staying in the premises/vicinity of the premises where the games machines will be operated.
- 3). The Licensee shall be responsible for providing appropriate facilities to the customers.
- 4). The License shall pay the requisite fee/tax under any statutory law to the Government before the end of the year and before an application is made for renewal of this License.
- 5). The License shall extend co-operation to the Authority and to any Officer authorized by the Government for carrying out inspection of the premises and records maintained by him.
- 6). In case of any contravention of terms and conditions, of the license or nonecooperation to the Authority or to any Officer authorized by the Government, the license shall be liable for cancellation.
- 7).

Dated:

Place:

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# Signature of the Authorized Officer and Official Seal.

### Form 'C' (See rule 6) DEPARTMENT OF TOURISM

## NOTICE FOR CANCELLATION OF REGISTRATION AND LICENSE

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			;
Registration /License No			
Registration /License No.	der portion		of the

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Now, therefore, a notice is hereby given to show cause within a period of 15 days from the date of receipt of this notice as to why your license should be cancelled in the grounds specified above, failing which it will be presumed that you have nothing to say in this matter and the order will be passed Ex-Parte.

### (Authorized Officer)

### FORM <sup>°</sup>D' VISITOR REGISTER [Under Rule 28)3)(ii)]

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### To be filled in by the participants/guest

Sec.

Party of

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Contractor of

Contract of

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SI. No. Name & Address of participants		No. of persons accompanying	Total charges received from the party	1	Signatura Participants
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### (To be filled in by the licensee)

Receipt No. And date of Advance	final Bill No. and date	Total amount received	Receipt No. and date	Details of Signature services of Participan rendered
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#### EXTRAORDINARY PUBLISHED BY AUTHORITY Monday 2784

September.

2010

Gangtok

No. 14/LD/P/2010

No. 527

### LAW DEPARTMENT **GOVERNMENT OF SIKKIM** GANGTOK

Dated: 25.09.2010

### NOTIFICATION

The following Act passed by the Sikkim Legislative Assembly and having received the assent of the Governor on 16th day of September, 2010:-

THE SIKKIM CASINOS (CONTROL AND TAX) AMENDMENT ACT, 2010

### (ACT NO. 14 OF 2010)

AN

### ACT

to amend the Sikkim Casinos (Control and Tax) Act, 2002.

WHEREAS, it is deemed expedient to amend the Sikkim Casinos (Control and Tax) Act, 2002.

Be it enacted by the Legislature of the State of Sikkim in the Sixty-first Year of the Republic of India as follows:-

Short fiste and commencement	1.	<ul> <li>(1) This Act may be called the Sikkim Casinos (Control and Tax) Amendment</li> <li>(2) Act, 2010. It shall come into force at once.</li> </ul>
Substitution of section 7	2.	In the Sikkim Casinos (Control and Tax) Act, 2002, (hereinafter referred to as the said Act) for the existing section, the following shall be substituted, namely:- "7. There shall be levied and collected and paid to the State Government a gaming fee at such rates as may be notified by the State Government, in the Official Gazette, from time to time."
Amendment of section 18	З.	In the said Act, in sub-section (1) of section 18, the words, "and subject to the condition of previous publication," shall be omitted.
		R.K. Purkayastha, SSJS L.R-cum-Secretary, Law Department.
		File No. 16 (82) LD/P/2010
		S.G.F.G 527/ Gazette /100 Nos./Dt:- 27.09.2010.

### SIKKIM.

# GOVERNMENT



### EXTRAORDINARY PUBLISHED BY AUTHORITY

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### Government of Sikkim Home Department Gangtok

No. 98/Home/2019

STATES SEASTER STATES STATES

### Defect: 14.08.2010

### NOTIFICATION

In exercise of the powers conferred by clause (c) of rule 2 of the Sildem Casino Games (Centrol and Tax) Plules, 2007, and in supersession of Notification No. 1295/TD dated 25.9.2008 published in the Extraordinary Gazette No. 458 dated 4th October, 2006, the State Government hereby appoints the Director, Sikkim State Lotteries as the Authorized Officer for the purpose of the said rules.

> T.T. DORJI, IAS Chief Secretary F. No. FILEDSL2010/III(2-37)

S. G.P. G. - 494' GROUND /109 No. ADC- 14.02.2018.

### GOVERNMENT



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Deled: 14.09.2010

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No. 99/Home/2010

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### NOTIFICATION

In exercise of the powers conterred by clause (b) of rule 2 read with sub-rule (1) of the rule 13 of the Sitckim Casino Games (Control and Tax) Putes, 2007, and in supersession of Motification No. 1234/TD dated 25.9.2008 published in the Extraordinary Gazette No.486 dated 22nd October, 2008, the State Government hereby appoints the <u>Principal Secretary</u>, Finance, Revenue & Expenditure Department as the Appellate Authority for the purpose of the said rules.

T.T. DORJI, IAS Chief Secretary F. No. FIN/DSSL/2010/11(247)

S.G.P.C. - 496/ Greaths /100 Nove. Mr. - 16.09.2010.

### SIKKIM

### GOVERNMENT



GAZET 

EXTRAORDINARY PUBLISHED BY AUTHORITY Wednesday 30th March, 2011

No. 150

Gangtok

### FINANCE, REVENUE AND EXPENDITURE DEPATMENT GOVERNMENT OF SIKKIM TASHILING, GANGTOK

### No: FIN/DSSL/2010/III(247)/ 818

Date : 30th March 2011

### NOTIFICATION

In exercise of the powers conferred by section 18 of the Sikkim Casinos (Control and Tax) Act, 2002, (4 of 2002), the State Government hereby makes the following rules further to amend the Sikkim Casino Games (Control and Tax) Rules, 2007, namely :-

- 1. (1) These rules may be called the Sikkim Casino Games (Control and Tax) Amendment Rules, 2011.
  - (2) They shall come into force on the date of their publication in the Official Gazette.
- 2. In the Sikkim Casino Games (Control and Tax) Rules, 2007, (hereinafter referred to as the said rules), in rule 2 -
  - (a) for the existing clause (e), the following shall be substituted, namely :-
- "(e) Gross Gaming Yield" means the total amount of all bets or stakes made, and the price of all chances sold, less the value of all winnings and prizes due, in all the course of gaming during the period in question."
  - (b) in clause (h), for the words "Department of Tourism", the words "Department of Finance, Revenue and Expenditure " shall be substituted ;
- 3. In the said rules, for the existing rule 4, the following shall be substituted, namely :-

"4. Grant of provisional licence : On receipt of an application under rule 3, the State Government or such Officer as may be authorized in this behalf, shall examine the application and after making such inquiry as it considers necessary and on the satisfaction of the Government that the applicant has a hotel having infrastructural and other facilities of the standard of any 5 (five) Star hotel with capability to establish and operate casino games, may grant a provisional licence for six months in Form-B1 on payment of a fee of one lakh rupees to enable the licensee to set up the necessary infrastructure and other requirements and to commence operation of casino games at anytime within the said period. If required, the provisional license shall be extended for a further period of six more months on payment of additional fee of one lakh rupees. [On full compliance of the stipulations prescribed in the said provisional licence and such other terms and conditions prescribed in the Act and rules, the Government may grant a regular licence under rule 17 for operation of casino games in Form-B2 for five years on payment of a fee of five crore rupees.]

4. In the said rules, in rule 10, after the word "supplied", the words " to the person" shall be inserted.

5. In the said rules, for the existing rule 11, the following shall be substituted, namely :-

"11. No cognizance shall be taken unless complaint is received or filed by any persons against the offenders before the Authorised Officer who shall have the power to take cognizance suo moto, provided he has reasonable belief about the offence or of contravention of any provision of the Act."

6. In the said rules, for the existing rule 12, the following shall be substituted, namely :-

"12. The State Government may by notification in the Official Gazette, prescribe rates of fees and other charges/levy as it may deem fit from time to time for the purposes of the Act and these rules."

7. In the said rules, for the existing rule 17, the following shall be substituted, namely :-

" <u>17.</u> On receipt of an application in the prescribed format and subject to the provisions of the Act and these rules, a license may be issued in Form B2 for operating Casino games in a hotel having infrastructural and other facilities of the standard of any 5 (five) Star hotel with capability to establish 1 and operate casino games."

8. In the said rules, for the existing rule 18, the following shall be substituted, namely :-

"18. The fee in respect of a provisional license under these rules shall be rupees one lake payable in advance prior to issue of such license and the fee for a regular license shall be rupees five crores for five years."

9. In the said rules, for the existing rule 28, the following shall be substituted, namely :-

- "28. (1) Every licensee shall maintain registers and such other books and statements and records and forms as per the formats and in such manner as may be notified by the State Government / Authorised Officer, in the Official Gazette, from time to time.
  - (2) Every licensee shall maintain proper books of accounts to record the daily transactions for the purpose of determination of the tax levy as provided under section 7 of the Act and rule 12.
  - (3) Every licensee shall maintain the following books and registers as per format approved by the Authorized Officer, namely :-
    - (i) Complaint / suggestion book to be kept at reception counter.
    - (ii) Participants/guests Register in FORM 'D'.
    - (iii) Bill book duly numbered in duplicate; and

(6)

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(iv) Receipt book duly numbered in duplicate for receipt of Payments/advance.

- The licensee shall not allow the entry of the participants/guest/tourists into the casino premises unless their particulars are entered in the guest registration register.
- The licensee also shall not allow entry of the participants/ guests/tourists under the age of 18 (eighteen) years nor employ such persons in the casino or otherwise allow them to take part in the organization or exhibition of such casino games.

For entry into the casino, individual admission fee of Rs. 500 (Rupees five hundred) only shall be charged and collected from the participants/guests/tourists by the licensee on behalf of the Government and deposited into the relevant Government account

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- The casino may be kept open for 24 (twenty-four) hours of the day. (7)
- The licensee may exhibit and advertise such casino by means of common hoardings / (8)newspaper advertisement / pamphlets/brochures / magazine advertisements /audio visual advertisements, in or outside the licensed premises.
- License may decide at his own discretion whatever may deem fit for his business (9)to extend credit facilities to the participants of casino and casino games.
- (10) The games of chances/entertainment which shall be Casino Games for the purposes of the Act and the rules to be observed in playing such games shall be prescribed from time to time by the Government, by notification, to be published in the Official Gazette. "

10. In the said rules, after Form A, the following new Form B1 shall be inserted, namely :-

### " Form B1

### (See rule 4)

### Form of Provisional Licence for operating Casino

Icence No..... Date ... This Licence is granted to Shri/Messers (Name of the Company with Address ) for enabling the setting up of a Casino as per the provisions of the Sikkim Casinos (Control and Tax) Act, 2002, on the following terms and conditions ; -

- 1. The provisional licence is issued for the specific purpose of enabling the applicant company to set up and establish the entire requisite infrastructure and other components necessary for commencement of casino games.
- 2. The provisional licence does not confer any right on the licensee to commence operation
- 3. The Licensee shall operate exclusively within the licensed premises.
- 4. The licensee should make available only the games as Notified by the Government under clause (b) of section 2. If the licensee intends to include new games, prior approval of the Government must be obtained.
- 5. The Licensee shall allow any Officer authorized by the Government to inspect the setup process and inspect premises from where the casino games are to be operated.
- 6. The Provisional licence is valid from the date of issue for a period of six months within which period all formalities must be completed.
- 7. Immediately on the licensee intimating in writing to the Government that it is ready to commence actual casino gaming operations and on such determination by the State Government that the applicant provisional licensee has complied with the stipulations prescribed hereinabove and such other terms and conditions prescribed in the Act and rules, the licensee will be granted a regular License to commence operations and the gaming tees and other fees payable to the Government shall be calculated from the date of issue of the said License.

- 8. The Licensee shall pay to the Government one lakh rupees as Provisional License fee through a Bank Draft in favour of the Director, Sikkim State Lotteries, and submit the same prior to issue of the said licence.
- 9. The licensee shall pay to the Government the tax levy and other charges as prescribed under the Act and the rules thereunder and Notified in the Official gazette from time to time.
- 10. This provisional license is liable to be cancelled if the licensee violates any of the above terms and conditions and the provisions of the Sikkim Casinos (Control and Tax) Act, 2002 and the rules made thereunder.
- 11. On fulfillment of all the prescribed terms and conditions this provisional licence shall be converted into a regular license for a period of five years on payment of fees of five crore rupees as provided under the Rules.

Date.	,	•						-	•					-	
Place	•	•	•	-		•							,		
Seal.															

Signature of Authorized Officer.

Certified that the licensee has paid Rs.1 lakh (Rupees one lakh) only as fee for issuance of this provisional license vide Bank Draft No...... dated......

11. In the said rules, for the existing Forms A, B, D and E, the following Forms A, B2, D and E shall respectively be substituted, namely :-

### " FORM -A (See rule 3)

### APPLICATION FORM FOR LICENSE FOR CASINO

To,

Date .....

The Authorized Officer, Directorate of Sikkim State Lotteries Finance, Revenue & Expenditure Department Government of Sikkim Gangtok-737101, Sikkim.

Sir,

I/we, ..... (full name)

(name of company/partnership firm),

S/o ....., a company/partnership firm registered under the Registration of Companies Act, Sikkim 1961, am/are desirous to operate a Casino

I/we, therefore, apply for a license for operating a Casino in Sikkim as specified under section 3 and 4 of the Sikkim Casinos (Control and Tax) Act, 2002 and the Sikkim Casino Games (Control and Tax) Rules , 2007.

I/we enclose herewith copies of the registration certificate/Memorandum and Articles of association/Partnership firm for your reference.

a.

of

I / we under-take to abide by the provisions of the Sikkim Casinos (Control and Tax) Act, 2002 and the rules made there-under and such other terms and conditions as may be stipulated in by the Authorised Officer.

I / we hereby also undertake that in the event of grant of license to me/us, I/we will pay to the Government the levy as per prescribed rate(s).

Yours faithfully,

Place : ..... Date..... Signature of the applicant Seal of the Company/Firm.

\*\*\*\*\*\*\*\*\*\*

FORM - 82 (See rule 17) LICENCE FOR OPERATION OF CASINO

#### LICENSE NO.

4).

### DATE : .....

(detail address of the person/Company/Partnership Firm) for operating a Casino under the Sikkim Casinos (Control and Tax) Act 2002 and the Sikkim Casino Games (Control and Tax) Rules 2007 and on the following terms and conditions; namely :-

- The Licensee shall ensure that no inconvenience/disturbance is caused to the other occupants staying in the premises/vicinity of the premises where the casino games will be operated.

3). The Licensee shall be responsible for providing appropriate facilities to the participants and guests entering the Casino.

- The Licensee shall pay the requisite fee/tax under any statutory law to the Government within the payment due dates before the end of the year and before an application is made for renewal of this License.
- 5). The Licensee shall extend co-operation to the Authorised Officer and to any other Officer authorized by the Government for carrying out inspection of the premises and records maintained by him.

6) The Licensee shall install only the games specified and notified under rule 28 of the Sikkim Casino Games (Control and Tax) Rules 2007. If the Licensee intends to include

13.5

new games, prior written approval of the Authorised Officer shall be taken and unless this is done no new games shall be provided/installed and played.

8)

7)

This license is granted to the Licensee subject to the provisions of the Sikkim Casinos (Control and Tax) Act 2002 and the Sikkim Casino Games (Control and Tax) Rules 2007 and is liable for cancellation if the Licensee violates any of the said terms and conditions and also in the event of non cooperation to the Authorised Officer or to any other Officer authorized by the Government.

Date.... Place.....

Signature of the Authorized Officer and Official Seal

### FORM - D REGISTER FOR PARTICIPANTS/GUESTS (see rule 28)

To be filled in by the participants/guest

Serial No	DATE	NAME	SEX	AGE	ADDRESS	SIGNATURE
• 1						
			and there are a second a second at the			

### FORM - E (See rule 10)

(Dec Tule

### MEMO No.....

Dated .....

### SEIZURE MEMO

(Under Rule 9 of Sikkim Casino Games (Control and Tax) Rules, 2007)

Name of the Accused		
Sex and age of accused	• • • •	••••
Occupation		
Address		••

DESCRIPTION OF MATERIALS SEIZED :

1. 2.

3.

Name, address and Signature of at least two witnesses .:-

1. 2.

Date of seizure:

Time of seizure:

Place of seizure:

The above mentioned items have been seized from my custody on account of it not being legal.

Signature & Name of Accused

(Signature of Authorized Officer) \*\*

12. In the said rules, in Form C; in the heading, for the words, "Department of Tourism", the words, "Finance, Revenue and Expenditure Department" shall be substituted.

By Order and in the name of the Governor of Sikkim.

### R.Ongmu, IAS Principal Secretary, Finance, Revenue & Expenditure Department

S.G.P.G. - 150/ Gazette/ 30 Cps./ `30.03.2011

# SIKKIM

GAZET

### EXTRAORDINARY PUBLISHED BY AUTHORITY Wednesday 30th March. 2011

No. 149

### Gangtok

### FINANCE, REVENUE AND EXPENDITURE DEPARTMENT GOVERNMENT OF SIKKIM TASHILING, GANGTOK

No: PIN/DSSI/2010/IN(247/617

GOVERNMENT

والأوالية والمراجع

Date:30" March 2011

MOTFICATION

In exercise of the powers conferred by section 7 of the Sikkim Casinos (Control and Tax) Act, 2002 (4 of 2002), the State Government hereby notifies that the gaming fees shall be payable by the licensee to the State Government at the rate of 10 (ten) percent of the gross gaming yield or 1 (one) crore rupees; whichever is higher for the first year and thereafter with incremental increase of 15 (fifteen) percent per year in respect of the minimum assured revenue for each of the remaining four years.

> R. Ongmu, IAS Principal Secretary, Finance, Revenue & Expenditure Department

S.G.F.G. - 149/ Gazette/ 30 Cps./ 30.03.2011