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Separate paging is given to this Part in order that it may be filed as a separate Compilation.

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.