



The Bombay Race Courses Licensing Act, 1912

Act 3 of 1912

Keyword(s):

Horse-Race, Race-Course

Amendment appended: 48 of 1958

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THE BOMBAY RACE-COURSES LICENSING ACT, 1912.

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BOMBAY ACT No. III OF 1912.¹

[THE BOMBAY RACE-COURSES LICENSING ACT, 1912.]*

[6th June 1912]

Amended by Bom. 4 of 1931.

Adapted and modified by the Adaptation of Indian Laws Order in Council.

Amended by Bom. 10 of 1938.

Adapted and modified by the Bombay Adaptation of Laws (State and Concurrent Subjects) Order, 1956.

Amended by Bom. 48 of 1958.

Amended by Mah. 44 of 1974. (24-10-1974)†

An Act to provide for the licensing of race-courses in the
²[State of Bombay].

WHEREAS it is expedient to make provision for the ³[regulation, control and management of horse racing and all matters directly or indirectly connected therewith] in the ⁴[State of Bombay]; It is hereby enacted as follows:—

1. (1) This Act may be called the Bombay Race-courses Licensing Act, 1912. Short title
and extent.

(2) ⁴[This section extends to the whole of the State of Bombay.] The rest of the Act extends only to such areas as the ⁵[State] Government] may by notification in the ⁷[Official Gazette] direct:

⁸[Provided that on the commencement of the Bombay Race-courses Licensing Act, 1912, and the Bombay Betting Tax Acts (Extension and Amendment) Act, 1958, the rest of the Act shall extend to those areas in which the Hyderabad Horse Racing and Betting Tax Regulation, 1358F., was in force immediately before such commencement.]

Bom. XLVIII of 1958, Hyd. Reg. XLIX of 1358F.

2. In this Act—

Definitions.

(a) "horse-race" means any race in which any horse, mare or gelding runs or is made to run in connection with any other horse, mare or gelding for any prize of what nature or kind soever, or for any bet or wager made or to be made in respect of any such horse, mare or gelding or the riders thereof, and at which more than twenty persons shall be present;

(b) "race-course" means any ground on which a horse-race can be held.

3. (1) No horse-race shall be held save on a race-course for which a licence for horse-racing granted in accordance with the provisions of this Act is in force.

Prohibition
against
horse-racing
on unlicensed
race-courses.

(2) The terms of such licence shall be published in the ⁷[Official Gazette].

¹ For Statement of Objects and Reasons, see *Bombay Government Gazette*, 1912, Part VII, page 131 for Report of Select Committee, see *ibid.*, 1912, Part VII, page 132, ; and for Proceedings in Council, see *ibid.*, 1912, Part VII, pages 221 and 471.

² These words were substituted for the words "Bombay Presidency" by Bom. 48 of 1958, s. 3(a).

³ These words were substituted for the original by Bom. 10 of 1938, s. 2.

⁴ This sentence was substituted for the original by Bom. 48 of 1958, s. 3(b).

⁵ The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation of Indian Laws Order in Council.

⁶ This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

⁷ The words "Official Gazette" were substituted for the words "Bombay Government Gazette" by the Adaptation of Indian Laws Order in Council.

⁸ This proviso was added by Bom. 48 of 1958, s. 3(b).

*This Act was extended to that part of the State of Bombay to which immediately before the commencement of Bom. 48 of 1958, it did not extend (*Vide* Bom. 48 of 1958, s. 2).

†This indicates the date of commencement of Act.

Application for licence for horse-racing. 4. (1) The owner, lessee or occupier of any race-course may apply to the ¹[State] Government] for a licence for horse-racing on such race-course.

Grant of licence for horse-racing. (2) The ¹[State] Government] may withhold such licence or grant it subject to such conditions and for such period as ²[it] may think fit. ⁴[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 horses ;

(c) the measures to be taken for the training of persons to become jockeys ;
and

(d) such other matters, whether directly or indirectly connected with horse-racing, for which, in the opinion of the ²[State] Government, it is necessary or expedient to make provision in the licence.]

⁵(3) The ¹[State] Government] may by such licence authorize the licensee to grant, subject to such conditions as shall be specified by the ¹[State] Government] in such licence, a licence or permit ⁶[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 horse-races held on a race-course, being a race-course which is situated in this State or outside it. The licence may be granted for such period] not exceeding the period of the licence granted to the licensee as the licensee may think fit ;]

Cancellation of licence. ⁷(4) The ¹[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 was granted.

Penalty for taking part in horse-race on unlicensed race-course. 5. Whoever takes part in any horse-race on any race-course for which a licence granted in accordance with the provisions of section 4 is not in force shall be punishable with fine which may amount to two hundred rupees.

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

Penalty for contravening conditions of licence. 7. ⁸(1) If any person to whom a licence has been granted in accordance with the provisions of section 4 contravenes any of the conditions subject to which such licence was granted, such person shall be punishable with fine which may amount to one thousand rupees.

¹ The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation of Indian Laws Order in Council.

² This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

³ The word "it" was substituted for the word "he" by the Adaptation of Indian Laws Order in Council.

⁴ This portion was inserted by Bom. 10 of 1938, s. 3.

⁵ This sub-section and the word "and" were inserted by Bom. 4 of 1931, s. 9(a)(i).

⁶ These words were deemed always to have been substituted with effect from the 1st day of May 1973 for the words "to any book-maker for such period" by Mah. 44 of 1974, s. 2.

⁷ Sub-section (3) was renumbered as sub-section (4), *ibid.*, s. 9(a)(ii).

⁸ Section 7 was renumbered as 7(1), *ibid.*, s. 9(b).

1[(2) If any person to whom a licence or permit has been granted by a licensee in pursuance of the provisions of sub-section (3) of section 4 contravenes any of the conditions subject to which such licence or permit was granted he shall be punishable with fine which may extend to one thousand rupees.]

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

Cogniz
of offence
under this
Act.

9. The ²[State] Government may from time to time by general or particular order published in the [Official Gazette] exempt any horse-race from the operation of this Act.

Exempt
horse-races.

¹ Sub-section (2) was inserted by Bom. 4 of 1931, s. 9 (b).
² The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation of Indian Laws Order in Council.
³ This word was substituted for word "Provincial" by the Adaptation of Laws Order, 1950.
⁴ The words "Official Gazette" were substituted for the words "Bombay Government Gazette" by the Adaptation of Indian Laws Order in Council.

**THE BOMBAY RACE COURSES LICENSING AND THE BOMBAY BETTING
TAX ACTS (EXTENSION AND AMENDMENT) ACT, 1958.**

CONTENTS.

PREAMBLE.

SECTIONS.

1. Short title.
2. Extension of Bom. III of 1912 and Bom. VI of 1925 to the rest of the State of Bombay.
- 3-4. [*Amendments made by sections 3 and 4 have been incorporated in the Bombay Racecourses Licensing Act, 1912 and the Bombay Betting Tax Act, 1925.*]
5. Repeal and Savings.

BOMBAY ACT No. XLVIII OF 1958.¹

**[THE BOMBAY RACE COURSES LICENSING AND THE BOMBAY BETTING
TAX ACTS (EXTENSION AND AMENDMENT) ACT, 1958.]**

[13th May 1958.]

An Act to extend the Bombay Racecourses Licensing Act, 1912 and the Bombay Betting Tax Act, 1925, to the rest of the State of Bombay and to amend them for certain purposes.

Bom.
III of
1912.
Bom.
VI of
1925.

WHEREAS the Bombay Race Courses Licensing Act, 1912, and the Bombay Betting Tax Act, 1925, extend only to the pre-Reorganisation State of Bombay excluding the transferred territories ;

AND WHEREAS in the Hyderabad area of the State of Bombay there is in force the Hyderabad Horse Racing and Betting Tax Regulation, 1358 F ;

AND WHEREAS it is expedient that the Bombay Race Courses Licensing Act, 1912 and the Bombay Betting Tax Act, 1925, be extended to the rest of the State of Bombay and those Acts in their application to the whole of that State be further amended for the purposes hereinafter appearing and in consequence thereof the corresponding provisions aforesaid in the said Hyderabad area be repealed ; It is hereby enacted in the Ninth Year of the Republic of India as follows :—

1. This Act may be called the Bombay Race Courses Licensing and the Bombay Betting Tax Acts (Extension and Amendment) Act, 1958. Short title.

2. The Bombay Race Courses Licensing Act, 1912 (hereinafter referred to as " the principal Act of 1912 ") and the Bombay Betting Tax Act, 1925 (hereinafter referred to as " the principal Act of 1925 ") are hereby extended to that part of the State of Bombay to which immediately before the commencement of this Act, they did not extend. Extension of Bom. III of 1912 and Bom. VI of 1925 to the rest of the State of Bombay.

3-4. [Amendments made by sections 3 and 4 have been incorporated in the Bombay Race Courses Licensing Act, 1912 and the Bombay Betting Tax Act, 1925.]

5. The Hyderabad Horse Racing and Betting Tax Regulation, 1358F, is hereby repealed : Repeal and Savings.

Provided that such repeal shall not affect—

- (a) the previous operation of the Regulation so repealed, or
- (b) any penalty or punishment incurred in respect of any offence committed against any of the provisions of the Regulation so repealed, or

¹ Fo. Statement of Objects and Reasons, see *Bombay Government Gazette*, 1958, Extra.,

(c) any investigation, legal proceeding or remedy in respect of such penalty or punishment ;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty or punishment may be imposed as if this Act had not been passed :

Provided further that anything done or any action taken (including notifications issued or authorisations made.) by or under the provisions of the Regulation so repealed shall be deemed to have been done or taken under the corresponding provisions of the principal Act of 1912, or, as the case may be, the principal Act of 1925, and shall until altered, repealed or amended under that Act continue in force accordingly but with this modification that the assessment of the tax in respect of any liability therefor incurred in the area concerned before the commencement therein of the principal Act of 1925, shall be made at the rates imposed by or under the Regulation so repealed and any proceedings pending in any area before any authority under the provisions of the Regulation repealed shall on the commencement therein of the principal Act of 1925 stand transferred to the corresponding authority under that Act and be disposed of accordingly.

Explanation.—In this section, “ the principal Act of 1912 ” or “ the principal Act of 1925 ” mean that Act as amended and extended by this Act.