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PART-IV

GOVERNMENT OF MEGHALAYA

LAW (B) DEPARTMENT

NOTIFICATION

The 17th February, 2021.

No.LL(B).46/2020/01. - The Meghalaya Regulation of Gaming Ordinance, 2021 (Ordinance No. 1 of 2021) is hereby published for general information.

MEGHALAYA ORDINANCE NO. 1 OF 2021

Promulgated by the Governor on the 13th February, 2021

Published in the Gazette of Meghalaya Extra-Ordinary issue dated 17th February, 2021

MEGHALAYA REGULATION OF GAMING ORDINANCE, 2021

An

Ordinance

to regulate gaming within the State like the games of skill and games of chance and to provide for matters connected therewith or indicated thereto;

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

Now, therefore, in exercise of the powers conferred by Clause (I) of Article 213 of the Constitution, the Governor is pleased to promulgate in the Seventy-second year of the Republic of India the following Ordinance:-

1 **Short title, extent and commencement.-**

- (1) This Ordinance may be called the Meghalaya Regulation of Gaming Ordinance, 2021.
- (2) It shall extend to the whole of Meghalaya.
- (3) It shall come into force on such date as the State Government, may, by notification in the Official Gazette, appoint.

2 **Definitions.-**

In this Ordinance, unless there is anything repugnant to the subject or the context otherwise requires:-

- (a) "Adjudicating Officer" means the Commissioner of Tax or any other Officer authorized by the State Government under this Ordinance to adjudicate offences under this Ordinance;
- (b) "Appellate Authority" means the State Government or such authority notified by the Government;
- (c) "Authorized Officer" means any person or persons not below the rank of Joint Commissioner of Taxes authorized by the State Government for the purpose of the Ordinance;
- (d) "Bet" means any money or a valuable security or a thing staked by a person on behalf of himself or through an agent or any person procured or employed, acting for or on his behalf, to be lost or won on the happening or determination of an unascertained thing, event or contingency of or in relation to a game or sport and shall include acceptance of a bet;
- (e) "Commission" means the Meghalaya Gaming Commission constituted under this Ordinance;
- (f) "Commissioner" means the Commissioner of Taxes;

- (g) “Company” means a body corporate, and includes firm or other association of individuals duly constituted and registered under the provisions of the Companies Act 1956 or the Companies Act, 2013;
- (h) “Competition” shall mean an event in which individuals or teams contest on the basis of their skills and ability;
- (i) “Games of Skill” mean all such games where there is preponderance of skill over chance, including where the skill relates to strategizing the manner of placing wagers or placing bets or where the skill lies in team selection or selection of virtual stocks based on analyses or where the skill relates to the manner in which the moves are made, whether through deployment of physical or mental skill and acumen, where the success in game depends on the existence of superior knowledge, training, attention, experience and adroitness of a player.

Explanation: For the purposes of this Ordinance:-

- (I) Without prejudice to the generality of the above provision, all Games provided in Schedule A of this Ordinance shall fall under the category of “Games of Skill”.
- (II) Games which have been declared to be ‘Games of Skill’ by law or judicial decisions, games where there are domestic and international competitions and tournaments, or games which can be determined to be ‘Games of Skill’ shall be included in Schedule A.
- (III) Games of Skill may be (a) Card based and (b) action or virtual sports or adventure or mystery and (c)

Calculation, strategy or quiz based.

(IV) This Ordinance seeks to regulate only those Games of Skills involving betting or wagering of money or money's worth.

(j) "Games of Chance" mean all such games where there is a preponderance of chance over skill.

Explanation: Without prejudice to the generality of the above provision, all Games provided in Schedule B of this Ordinance shall fall under the category of "Games of Chance"

(k) "Gaming" means and includes Games of Chance and Games of Skill as defined in this Ordinance.

(l) "Gaming Royalty" means such percentage sum of money of Gross Gaming Revenue, as notified by the Government from time to time.

(m) "Government" means the State Government of Meghalaya;

(n) "Gross Gaming Revenue" means a sum of total amount of all bets made and the revenue generated from advertising, marketing and promotion as permitted under this Ordinance-less value of all winnings and prizes, bonuses and discounts and cash backs, as well as the payment gateway and banking charges in the course of the Gaming during the period as may be prescribed;

(o) "Instruments of Gaming" means and includes any article, electronic apparatus, computer, instrument, server or machine with their accessories used or intended to be used as a subject, and 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;

- (p) “License” means permission granted by the State Government in writing under the provisions of the Ordinance for the purpose of running Gaming, including its organization, management or promotion and negotiation or receipt of bets;
- (q) “Licensee” means any person, company or firm who has been granted a License to install and operate Gaming including installing and maintaining a server;
- (r) “Licensing Authority” means the State Government;
- (s) “Match play” shall mean any game played between two or more players or between a player and the computer.
- (t) “Online Gaming” means any gaming, where any player enters or may enter the game or takes or may take any step in the game or acquires or may acquire, by means of a telecommunication device or an electronic machine or instrument or apparatus, including the negotiating or receiving of any bet by means of a telecommunication device for money or money’s worth which may also be held through non-restricted geo-fenced internet or at a physical premises;
- (u) “Online Gaming Server” means any main frame computer or set of computers, installed or maintained by the Licensee, at a central location or any location in the State of Meghalaya that accepts, processes, stores and validates wager or transaction and otherwise manages, monitors and controls the entire system;
- (v) “Online Gaming Website” means the non-restricted geo-fenced internet domain registration or URL address of the Licensee through which Games are conducted;

- (w) ‘Ordinance’ means the Meghalaya Regulation of Gaming Ordinance, 2021;
- (x) “Peer to Peer Challenge” shall mean a game which is played only between two or more players, where one player issues a challenge to another player specifically or in general, and another player accepts the challenge on the terms proposed;
- (y) “Penalty” means a fine imposed by the Adjudicating Officer under this Ordinance for any offence committed under this Ordinance including, but not limited to, the breach or contravention of any of the provisions of this Ordinance, the rules made hereunder and the conditions of the License;
- (z) "prescribed" means prescribed by rules made under this Ordinance;
- (aa) “Public Place” includes a place to which the public is permitted to have access, including any access to non-restricted geo-fenced internet, whether on payment or otherwise;
- (bb) "Security Deposit" means any sum of money as may be prescribed to be deposited before the issuance of any License or permit;
- (cc) “Sports Gaming” means games involving the prediction of the results of sporting events and placing a bet on the outcome, in part or in whole, of such sporting event;
- (dd) “State” means the State of Meghalaya;
- (ee) “Tournament” shall mean a contest in a game among a number of competitors;
- (ff) “Wagering” or “Betting” shall mean the staking of money or virtual currency, if permitted by law and payment of which is made via cash, cheque, bank transfers, credit

and debit cards, e-wallets, mobile payments including near field communication (NFC);

3 Licensing for Gaming and exemption under law.-

(1) No Games of Skills or Games of Chance, involving betting or wagering of money or money's worth, shall be played, organized or exhibited by any person at any place in the State of Meghalaya including through a telecommunication device, non-restricted geofenced internet or instruments of gaming at a physical premises or any other mode without a License granted in accordance with the provisions of this Ordinance and rules made thereunder.

(2) Nothing in the Meghalaya Prevention of Gambling Act, 1970, shall apply to Games of Skill or Games of Chance Licensed under this Ordinance.

(3) Nothing in this Ordinance shall apply to the game of Arrow Shooting called Teer being Regulated through Meghalaya Regulation of the Game of Arrow Shooting and the Sale of Teer Tickets Act, 2018 and lotteries regulated under the Meghalaya Lottery (Regulation) Rules, 2019.

4 Application for License for Gaming and grant or refusal of such License.-

(1) The License may be issued to any person or entity upon due compliance of the terms and conditions prescribed in this Ordinance and the rules made thereunder to the satisfaction of the Licensing authority.

(2) A License under this Ordinance shall be issued only to an Indian citizen or legal entity incorporated in India.

(3) The State Government may, by notification prescribe the manner and format for the applications for License, including the terms and conditions of the License to be issued under this Ordinance.

(4) Any person desiring to obtain a License shall make an application in writing to the State

Government, in such form and manner as may be prescribed. On receipt of such application, the State Government may, after making such inquiry as it considers necessary, by order in writing, either grant the License or refuse to grant the License:

Provided that, where the State Government refuses to grant a License, it shall put on its record a brief statement of the reasons for such refusal.

5 Duration of License.-

- (1) A License, unless it is cancelled or surrendered, shall remain in force for five years from the date of grant of License.
- (2) The holder of a License may surrender the License by notice in writing to the Licensing Authority prior to the expiry of the License.
- (3) The cancellation, surrender or expiry of a License shall not affect any liability for anything done or omitted to be done by the Licensee before the date on which the License ceases to have effect.

6 Renewal or refusal to renew.-

The Licensing Authority may, on application made to it, renew the License granted under this Ordinance, on fulfilment of conditions prescribed for renewal of the License or refuse to renew any such License by a speaking order disclosing the reasons for such refusal.

7 License Fees, Renewal Fee and Royalty.-

- (1) An applicant for the License shall pay to the Licensing Authority such fee as may be prescribed for the grant of the License.
- (2) The Licensee shall pay to the Licensing Authority, an amount known as "Gaming Royalty" notified by the State Government from time to time, at such intervals and in such manner as may be prescribed.
- (3) The Licensee shall pay to the Licensing Authority a renewal fee as may be prescribed at the time of renewal of License.

8 Variation of Conditions of License.-

- (1) The Licensing Authority may, on application by the Licensee or on its own motion vary the conditions of the License by adding a prescribed description of Gaming to, or deleting a description of Gaming from, the descriptions specified in the License.
- (2) The Licensing Authority may, on application by the Licensee or on its own motion, vary or cancel any condition specified in the License.
- (3) A variation of a License or of a condition of a License, made otherwise than on application by the Licensee shall not have effect until the expiration of twenty one days from the date on which notice of the variation is given to the applicant, or where an appeal is made against such variation, until the said appeal is decided.
- (4) Notwithstanding anything contained in clause (c) above, a variation of condition of the License made by the Licensing Authority necessitated on the ground of change or amendment of the provisions of this Ordinance or the rules framed thereunder or any other law for the time being in force, shall be applicable with immediate effect.

9 Transfer of License.-

- (1) The Licensing Authority may, on an application by the Licensee, transfer the License to a person specified in the application, subject to compliance with all requirements by the transferee for grant of License prescribed in this Ordinance and the rules framed thereunder.
- (2) Such a transfer shall be endorsed on the License by the Licensing Authority.

10 Marketing and promotion.-

- (1) The Licensee shall intimate to the Licensing Authority of all regular promotional activities, including registration bonus, bonus deposits and free play.

- (2) The Licensee shall, conduct tournaments and competitions for its players either online through the authorized website or at physical locations anywhere in the State, only with prior approval of the Licensing Authority.
- (3) If the tournament or competition is being held at a physical premise, the Licensee shall be responsible for obtaining the necessary approvals from the district administration and other authorities as required in law.
- (4) The Licensee may, with prior permission of the Licensing Authority as prescribed under the Rules, provide Games of Skills and Games of Chance Licensed under this Ordinance, for a specified period of time and for specified purpose, to any other person or company. For the purpose of calculating the Royalty, the Gross Gaming Revenue of the Licensee shall include the Gross Gaming Revenue of each such person or company.

11 Exhibition of conditions of license by licensee.-

The Licensee shall exhibit a copy of License at the approved website and the physical premise where the gaming is being conducted.

12 Licensee to keep accounts.-

- (1) The Licensee under this Ordinance shall keep accounts of Gaming in such manner as may be prescribed.
- (2) The Licensee shall submit to the Licensing Authority or to an officer authorized by the State Government a statement of accounts in such form and at such intervals as may be prescribed.

13 Suspension, cancellation of license and forfeiture of security deposit.-

- (1) The Licensing Authority may, on the advice of the Commissioner, suspend the License if the Commissioner has reason to believe that the Licensee has acted in violation of any provision of this Ordinance or the Rules made there under or any conditions of the License; or the

Commissioner has reason to believe that the License has been obtained by furnishing incorrect information which the Licensee knows or believes to be false or does not believe to be true, may initiate the procedure for cancellation of License and if the Licensing Authority deems fit, it may also suspend the License with immediate effect till the decision on the issue of cancellation of License is taken by the Licensing Authority.

- (2) After following the procedure as may be prescribed in the Rules, if it is found by the Licensing Authority that the Licensee has violated any provision of this Ordinance or the Rules made there under or any conditions of the License or where the License was found to have been obtained by furnishing incorrect information which the Licensee knows or believes to be false or does not believe to be true, the Licensing Authority shall cancel the License forthwith.
- (3) Upon cancellation of License, the security deposit along with the balance annual fee for that year shall stand forfeited to the State Government:

Provided that no action under sub-section (b) shall be taken unless the Licensee has been given an opportunity of being heard:

Provided further that the violation of the License terms may be compounded if the breach is remedied within thirty days of the breach having been established to the satisfaction of the Licensing Authority.

- (4) If there is any delay in payment of License fee, the said breach may be compounded by payment of penalty over and above the due License fee calculated @18% per annum along with the due License fee.

14 Offences and Penalties under this Ordinance.-

- (1) Where a Licensee, or any person acting on its behalf, has acted in contravention or violation of any provision of this Ordinance or the Rules made there under or any conditions of the License, he shall be liable for a penalty not exceeding rupees two lakh.
- (2) Where any Player while playing any Games of Skill and Games of Chance at the approved website or physical premises, Licensed under this Ordinance commits a breach of any of the conditions of the License as exhibited, or of the rules to be observed in playing such games, he shall be liable for a penalty not exceeding rupees ten thousand for the first three violations and thereafter, he shall be prohibited from participation in gaming under the Ordinance for a period of not less three years and entry of such person shall also be prohibited into the physical premises of the Licensee.
- (3) Where the Licensee, or any person acting on its behalf, has been found to have obtained the License by furnishing incorrect information which the Licensee has known or believed to be false or does not believe to be true, he shall be liable for a penalty not exceeding rupees two lakh.
- (4) In case any person or entity is found to have made a deliberate mis-declaration to the Licensing Authority in order to obtain a License, the person(s) in charge of the said entity or the individual concerned shall be liable for a penalty not exceeding rupees two lakh.
- (5) If any person/entity responsible under this Ordinance to keep accounts or to submit statement of accounts to the Government fails to keep accounts or to submit statement of accounts as required by this Ordinance or the Rules framed thereunder or keeps accounts or submit statements of accounts which are not correct and which he

either knows or believes to be false or does not believe to be true, the person in charge of that entity or the individual concerned shall be liable for a penalty not exceeding rupees two lakh.

- (6) If a Licensee or any other person acting on its behalf is found to have issued a false or misleading advertisement in relation to its gaming, as may be prescribed in the rules, he shall be liable for a penalty not exceeding rupees one lakh.
- (7) Offences under sub-section (1) to (6) of this Section shall be adjudicated by 'Adjudicating Officer' authorized under this Ordinance.
- (8) If a person or an entity carries out the operation of gaming without obtaining a License under the provisions of this Ordinance, such person is liable to be punished with imprisonment which may extend for a period of up to two years and shall also be liable to pay a fine not exceeding rupees ten lakh only.

Explanation:

Offence under sub-section (8) of this Section shall be non-bailable, cognizable and triable by a Judicial Magistrate of the First Class.

15 Power to recover losses.--

In addition to the power to levy fine or penalty, if the Licensee or any other persons who have violated the provisions of this Ordinance, rules made thereunder and conditions of license which have caused loss to the State Government, the Adjudicating Officer shall have power to recover losses and compensation from the Licensee or such other persons.

16 Offences by Company.-

Where any offence has been committed by a company, every person who at the time the offence was committed was in charge of and was responsible, for the conduct of the business of the company, as well as the company shall be deemed to be guilty of the offence as above and shall be liable to be proceeded against and punished in accordance with the provisions of this Ordinance:

Provided that nothing contained in this Section shall render any such person liable to any punishment provided in this Ordinance if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such violation of statutory provisions or the conditions of the License:

Provided further that notwithstanding anything contained in the first proviso to this Section, where it is proved that an offence under this Ordinance has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the Company, he shall also be deemed to be guilty of that offence and shall be liable to be punished in accordance with the provisions of this Ordinance.

Explanation: For the purpose of this Section:

“Director” in relation to a firm means a partner in the firm.

17 Compounding of offences.-

(1) The Authorized Officer under this Ordinance, either before or after the institution of proceedings for any offence punishable under this Ordinance or any rules made there under, accept from any person charged with such offence by way of composition of the offence such sum not exceeding 75% of the maximum amount of fine to which he is liable to pay on being found guilty of committing the offence.

- (2) On the payment of such sum of money to such officer, no further proceedings shall be taken against the accused person in respect of the same offence:

Provided that no offence, for which punishment of imprisonment has been prescribed under this Ordinance, shall be compounded.

18 Adjudicating Officer and its Powers.-

- (1) The State Government shall, for adjudicating the offences related to contravention or violation of the provisions of this Ordinance, the Rules framed thereunder or that of the conditions of the License except that under sub-section (8) of Section 14 of this Ordinance, shall appoint, by notification in the Official Gazette, an Adjudicating Officer not below the rank of Commissioner of Taxes.

- (2) The Adjudicating Officer shall, while adjudicating the offences prescribed under this Ordinance, including those prescribed under sub-section (a) above, have all the powers of a civil court trying a suit under the Code of Civil Procedure, 1908, and in particular in respect of the following matters, namely:

- (i) summoning and enforcing the attendance of witnesses and examining them on oath;
- (ii) discovery and production of any document;
- (iii) receiving evidence on affidavits;
- (iv) requisitioning any public record or copy thereof from any court or office;
- (v) issuing commissions for the examination of witnesses or documents;
- (vi) any other matter which may be prescribed.

- (3) The Adjudicating Officer shall have power to require any person, subject to any privilege which may be claimed by that person under any law for the time being in force, to furnish information on such points or matters as, in the opinion of the Adjudicating Officer, may be useful for, or

relevant to, the subject matter of the inquiry and any person so required shall be deemed to be legally bound to furnish such information within the meaning of section 176 and section 177 of the Indian Penal Code 1860.

- (4) The Adjudicating Officer or an Authorised officer, specially authorized in this behalf by the State Government may enter any building or place where the Adjudicating Officer has reason to believe that any document relating to the subject matter of the inquiry may be found, and may seize any such document or take extracts or copies therefrom subject to the provisions of section 100 of the Code of Criminal Procedure, 1973, in so far as it may be applicable.
- (5) The Adjudicating Officer shall be deemed to be a civil court and when any offence as is described in Section 175, 178, 179, 180 or 228 of the Indian Penal Code 1860 is committed in the view or presence of the Adjudicating Officer, the Adjudicating Officer may, after recording the facts constituting the offence and the statement of the accused as provided for in the Code of Criminal Procedure, 1973 (2 of 1974), forward the case to a Magistrate having jurisdiction to try the same and the Magistrate to whom any such case is forwarded shall proceed to hear the complaint against the accused as if the case has been forwarded to him under Section 346 of the Code of Criminal Procedure, 1973.
- (6) Every proceeding before the Adjudicating Officer shall be deemed to be a judicial proceeding within the meaning of Code of Criminal procedure and for the purposes of Section 196, of the Indian Penal Code 1860, the Commission shall be deemed to be a civil court for all the purposes of Section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974).

- 19 Responsibility of the license holder for compliance of Central and State Acts and Rules.-**
- Without prejudice to the provisions of this Ordinance, the onus of compliance to various central and state Acts and Rules including but not limited to The Cable Television Network Rules, 1994, Foreign Exchange Management Act 1999, Current Account Rules of the Reserve Bank of India, the Information Technology Act 2000, Information Technology (Intermediaries Guidelines) Rules, 2011, Prevention of Money Laundering Act, 2002, the Indecent Representation of Women (Prohibition) Act, 1986, the Young Person's (Harmful Publications) Act 1956, Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015, The Payment and Settlement Systems Act, 2007, the Indian Contract Act 1872, Consumer Protection Act, 1986, the Copyright Act, 1957, the Trade Marks Act, 1999, the Patents Act, 1970, the Prize Competitions Act, 1955, The Central Goods and Services Tax Act, 2017, The Meghalaya Goods and Services Tax Act, 2017 and the Meghalaya Prevention of Gambling Act, 1970 shall be on the Licensee and the State Government shall be kept indemnified for any non-compliance thereof by the Licensee or any player.
- 20 Non-liability of the Government.-**
- The State Government shall not be liable for payment of any dividend or award or reward by whatever name called to any winner or participant of any gaming event or to the holder of any winning ticket which evidenced receipt of stake money.
- 21 Best Judgment assessment in certain cases.-**
- Where an officer authorized by the State Government in this behalf is not satisfied about the correctness or completeness of the accounts kept by the Licensee or where the Licensee fails to submit any statement of accounts as required by this Ordinance, the said officer shall after giving a reasonable opportunity to the Licensee to be heard and after taking into account all relevant materials which he may have gathered, make the assessment of the royalty payable by the Licensee to the best of his judgment and call upon the

Licensee by order in writing to pay the amount of royalty so assessed on or before such date as may be specified in the order.

22 Appeals.-

An appeal against the order made by the 'Adjudicating Officer' or any other authorised officer under this Ordinance shall be made to the State Government, within a period of forty-five days of communication of the said order, whose decision shall be final and binding.

23 Recovery of fines or Penalty.-

Where any fine or penalty imposed on any person under this Ordinance is not paid within six months from the day of imposition of fine or penalty, the Adjudicating Officer or any other officer authorized by him in this behalf may proceed to recover the amount from the said person in the same manner as prescribed in Schedule II of the Income-tax Act, 1961 (43 of 1961) for the recovery of arrears and he or any officer authorized by him in this behalf shall have all the powers of the Tax Recovery Officer mentioned in the said Schedule for the said purpose.

24 Power to require production of accounts or to inspect accounts.-

The State Government or the Commissioner of Taxes or any Authorized Officer under this Ordinance may, for the purposes of this Ordinance, at all reasonable times require the Licensee to produce before it or him accounts or other documents or to furnish any other information, or inspect the accounts of the Licensee.

25 Power of entry, search, and seizure.-

(1) It shall be lawful for the Authorised officer, or any other officer not below the rank of Inspector of Taxes, authorized in writing by the State Government in this behalf:-

- (i) to enter, if necessary, by force, whether by day or night, or with such assistants as he considers necessary, at any premises where he has reasonable cause to believe that any provision of this Ordinance or the rules made there under have been or are being or are likely to be contravened or a breach of any of the conditions of the License is or is likely to

be committed;

- (ii) to search such premises and the persons whom he may find therein;
- (iii) with the assistance of any police officer not below the rank of an Inspector of Police, to take into custody and produce before the Judicial Magistrate of the First Class all such persons as are concerned or against whom a reasonable complaint has been made or credible information has been received or a reasonable suspicion exists having been concerned with any contravention or breach;
- (iv) to seize any machine, instrument, apparatus, telecommunication device, books of account, registers, tickets or any other document maintained physically or in electronic form, from such premises if the authorized officer has reasons to suspect that the provisions of this Ordinance or any rules made there under are not being complied with and may retain the same for so long as may be necessary for the purposes of this Ordinance and shall grant a receipt to the owner or person in charge of the premises;

(2) All searches under this Section shall be made in accordance with the provisions of Code of Criminal Procedure, 1973.

(3) If any person prevents or obstructs the entry, search, seizure or any other action of any officer so authorized, he shall, in addition to any action which he is liable under any law for the time being in force, be liable to pay a fine not exceeding rupees fifty thousand only as decided by the State Government.

26 Protection of action taken in good faith.-

No suit, prosecution or other legal proceeding shall lie against the State Government or any officer of the Government or any other person exercising any powers or discharging any functions or performing

any duties under this Ordinance for anything done or intended to be done under this Ordinance or any rule or order made there under in good faith.

27 The Meghalaya Gaming Commission.-

(1) The Meghalaya Gaming Commission shall consist of the following members, who shall be nominated by the State Government for a period of three years on such terms and conditions as may be notified from time to time -

(i) A retired judge of the High Court -
Chairperson

(ii) A person having vast experience in Gaming Industry - Member

(iii) A person from Civil Society Organizations/
Non Governmental Organizations – Member

Provided that the term of the Chairperson and the members shall be extended for another period not exceeding three years or till he attains the age of sixty five years, whichever is earlier.

(2) The salaries and allowances and the other terms and conditions of service of the members, and the officials appointed for the purpose of the Commission shall be such as may be prescribed by the State Government.

28 Powers and functions of the Meghalaya Gaming Commission

(1) The Meghalaya Gaming Commission shall have the following powers:

(i) to issue policy directions for regulating games of skill and games of chance to be played in fair and transparent manner.

(ii) to monitor and submit periodic report to the State Government of the activities of all Licensees to ensure compliance with the provisions of this Ordinance.

(iii) to act as Dispute Redressal body for disputes between the players and the Licensee.

(2) The policy directions issued by the Meghalaya

Gaming Commission shall, after approval of the State Government, be binding on all concerned.

29 Power to make rules.-

- (1) The State Government may, by notification in the Official Gazette, and subject to the condition of previous application, make rules for carrying out the purposes of this Ordinance.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:
 - (i) The form and manner of making application for the License and the fees to be paid for its grant or renewal and the conditions subject to which it may be granted;
 - (ii) The Gaming royalty to be paid by the Licensee to the State Government;
 - (iii) The manner of keeping accounts relating to Games of Skills and Games of Chance, the other particulars to be shown in the accounts, and the form in which and the intervals at which they shall be submitted to the State Government, or to the authorized officer;
 - (iv) The other restrictions or conditions with regard to the age or other conditions of the persons who may be employed for Games of Skill and Games of Chance, or a player who may be permitted to play Games of Skills and Games of Chance or otherwise take part in the organization or exhibition of such games;
 - (v) The types of notices to be exhibited and the manner in which they are to be exhibited on the website or physical premises;
 - (vi) The restrictions or conditions with regard to the advertisements pertaining to Games of Skill and Games of Chance;
 - (vii) The restrictions or conditions with regard to providing credit facilities by the Licensee to

the participants of Games of Skill and Games of Chance and the prohibition or regulation of participation by proxy in the Games of Skills;

(viii) Any other matter which is required to be or may be prescribed.

- 30 Power to remove difficulties.-** (1) If any difficulty arises in giving effect to any of the provisions of this Ordinance, the State Government may, by notification or order make such provisions not inconsistent with the provisions of this Ordinance, as appear to it to be necessary or expedient, for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Ordinance.

- (2) Every order made under this Section, shall, as soon as may be after it is made, be laid before the House of Legislative Assembly.


SCHEDULE – A**All the games played below as Online Games:**

- (i) Backgammon
- (ii) Bingo
- (iii) Black Jack
- (iv) Bridge
- (v) Napoleon
- (vi) Poker
- (vii) Poker Dice
- (viii) Rummy
- (ix) Solitaire
- (x) Spades
- (xi) Prediction of the results of the sporting events and placing a bet on the outcome, in part or in whole, of sports or sporting events such as football, cricket, lawn tennis, chess, golf, horse race and such other sport games
- (xii) Teen Patti
- (xiii) Virtual adventure games
- (xiv) Virtual Combat Games
- (xv) Virtual mystery and detective games
- (xvi) Virtual racing games including virtual horse racing, virtual car racing *et al*
- (xvii) Virtual sports fantasy league games.
- (xviii) Virtual Sports gaming including Soccer, Golf, Cricket, Archery, Snooker, Bridge, Pool *et al*
- (xix) Virtual Stock/monopoly games
- (xx) Virtual team selection games
- (xxi) Any other game of skill permitted by the State Government from time to time.


SCHEDULE-B**All the games played below as Online Games:**

- (i) Baccarat (*Punto Banco*)
- (ii) Big Six Wheel/Wheel of Fortune
- (iii) Chemin-de-for
- (iv) Craps
- (v) Flush/Brag/Three Card Game
- (vi) Keno
- (vii) Pontoon/21
- (viii) Roulette
- (ix) Slots
- (x) Super Pan 9
- (xi) Any other game of chance permitted by the State Government from time to time.

Dated Raj Bhavan, Shillong,
the 13th February, 2021.


SATYA PAL MALIK,
Governor of Meghalaya.

Dated Shillong,
the 17th February, 2021.


S. K. SANGMA,
Deputy Secretary to the Govt. of Meghalaya,
Law (B) Department.