

BOMBAY ACT No. III OF 1912¹
(As modified upto 31st August, 2006)
 [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.

Adapted and modified by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

Amended by Bom. 48 of 1958.

Adapted and modified by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

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

An Act to provide for the licensing of race-courses in the²[State of Maharashtra].

WHEREAS, it is expedient to make provision for the³[regulation, control and management of horse racing and all matters directly or indirectly connected therewith] in the²[State of Maharashtra]: 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 the²[State of Maharashtra]. The rest of the Act extends only to such areas as the⁶[State] Government] may by notification in the⁸[Official Gazette] direct :

⁹[Provided that, on the commencement of the Bombay Race-courses Licensing 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.]

2. In this Act —

(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 ;

Definitions.

¹ For Statement of Objects and Reasons, see *Bombay Government Gazette*, 1912, Part. VII, p.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 "State of Bombay" by Adapted and modified by the Maharashtra Adaptation of laws (State and Concurrent Subjects) Order, 1960.

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 These words were substituted for the words " State of Bombay " by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

⁶ The words "Provincial Government" were substituted for the words "Governor in Council " by the Adaptation of Indian Laws Order in Council.

⁷ This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

⁸ The words "*Official Gazette*" were substituted for the words "*Bombay Government Gazette*" by the Adaptation of Indian Laws Order in Council.

⁹ 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.

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

Prohibition
against
horse-racing
on unlicensed
race-courses.

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.

(2) The terms of such licence shall be published in the ¹[Official Gazette].

Application
for licence
for horse -
racing

4. (1) The owner, lessee or occupier of any race-course may apply to the ²³[State] Government] for a licence for horse-racing on such race-course.

Grant of
licence for
horse racing.

(2) The ²³[State] Government] may withhold such licence or grant it subject to such conditions and for such period as ⁴[it] may think fit. ⁵[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 ³[State] Government, it is necessary or expedient to make provision in the licence.]

⁶[(3) The ²³[State] Government] may by such licence authorise the licence to grant, subject to such conditions as shall be specified by the ²³[State] Government] in such licence, a licence or permit ⁷[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; and]

Cancellation
of licence.

⁸[(4)] The ²³[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.

¹ The words "Official Gazette" were substituted for the words "Bombay Government Gazette" by the adaptation of Indian Laws Order in Council.

² The words "Provincial Government" were substituted for the words "Government in Council" by the Adaptation of Indian Laws Order in Council.

³ This word was substituted for the word "Provincial" by the adaptation of Laws Order, 1950.

⁴ The words "it" was substituted for the word "he" by the Adaptation of Indian Laws Order in Council.

⁵ This portion was inserted by Bom. 10 of 1938, s.3.

⁶ This sub-section and the word "and" were inserted by Bom. 4 of 1931, s. 9 (a) (i).

⁷ 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.

⁸ Sub-section (3) was renumbered as sub-section (4), by Bom. 4 of 1931, s.9(a) (ii)

7. ¹[(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.

penalty for
contravening
conditions of
licence.

²[(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.

Cognizance
of offences
under this
Act.

9. The ³[State] Government] may from time to time by general or particular order published in the ⁵[Official Gazette] exempt any horse-race from the operation of this Act.

Exemptions.

¹ Section 7 was renumbered as 7(1), by Bom. 4 of 1931, s. 9 (b).

² Sub-section (2) was inserted *ibid.*, s 9 (b).

³ The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation of Indian Laws Order in Council.

⁴ This word was substituted for the word "Provincial" by the Adaptation of Laws Order 1950.

⁵ The word "Official Gazette" were substituted for the words "Bombay Government Gazette" by the Adaptation of Indian Laws Order in Council.