

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 17th October, 2025 is published together with Statement of Objects and Resasons for general information:-

L.A.Bill No. 37 of 2025

A Bill further to amend the Tamil Nadu Highways Act, 2001.

Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-sixth Year of the Republic of India as follows:—

1.(1) This Act may be called the Tamil Nadu Highways Short title and
(Amendment) Act, 2025. commencement.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Tamil Nadu Act
34 of 2002.

2. In section 19 of the Tamil Nadu Highways Act, 2001 (hereinafter referred to as the principal Act), in sub-section (8), for the expression "section 175 and section 176 of the Indian Penal Code (Central Act XLV of 1860)", the expression "section 210 and section 211 of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023)" shall be substituted. Amendment of section 19.

3. Section 47 of the principal Act shall be renumbered as sub-section (1) of that section and,— Amendment of section 47.

(1) in sub-section (1) as so renumbered, for the expression "shall on conviction, be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both", the expression "shall be liable for a penalty which may extend to ten thousand rupees" shall be substituted;

(2) after sub-section (1) as so renumbered, the following sub-section shall be added, namely:—

"(2) Notwithstanding anything contained in sub-section (1), in a proceeding under section 53-A relating to resisting or obstructing an officer or authority, if the adjudicating authority deems fit, he may, after recording the reasons in writing, refer the matter for prosecution and the Administrator, shall, file a complaint before the Magistrate having jurisdiction. On conviction, the offender shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to ten thousand rupees, or with both."

4. In section 48 of the principal Act, for the expression "on conviction, be punishable with fine which may extend to five hundred rupees and with further fine which may extend to fifty rupees for each day after such conviction", the expression "liable for a penalty which may extend to five thousand rupees and in the case of continuing contravention with an additional penalty which may extend to five hundred rupees for every day during which such contravention continues after imposition of the penalty" shall be substituted. Amendment of section 48.

Substitution of
sections 49,50
and 51.

5. For sections 49, 50 and 51 of the principal Act, the following sections shall be substituted, namely:—

“49. Unauthorised occupation of Highway.— Whoever occupies or makes any encroachment on any highway in contravention of section 26 or fails to comply with the notice served on him under clause (ii) of sub-section (2) of section 28 shall be liable for a penalty which may extend to two thousand rupees in respect of the first contravention, five thousand rupees in respect of second or subsequent contravention and if the contravention is continued after imposition of penalty, liable for a further penalty which may extend to five hundred rupees for each day on which the contravention is so continued.

Explanation.— For the purpose of this section and section 51, “second or subsequent contravention” means the same or similar contravention committed by the person within a period of three years from the date of imposition of a penalty.

50. Causing damage to Highways.— Whoever in contravention of the provisions of section 46 willfully causes or allows any vehicle or animal in his charge to cause any damage to any highway, shall be liable for a penalty which may extend to one lakh rupees:

Provided that in a proceeding under section 53-A relating to any of the above contraventions, if the adjudicating officer deems fit, he may, after recording the reasons in writing, refer the matter for prosecution and the Administrator, shall, file a complaint before the Magistrate having jurisdiction. On conviction, the offender shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to one lakh rupees, or with both.

51. Penalty for contraventions for which no penalty is specifically provided.— Whoever contravenes any of the provisions of this Act or of any rules or order made thereunder shall, if no other penalty is provided for such contravention under this Act, be liable for a penalty which may extend to one thousand rupees in respect of the first contravention, two thousand rupees in respect of second or subsequent contravention.

6. After section 52 of the principal Act, the following section shall be inserted, namely:—

Insertion of new
section 52-A.

“52-A. Contraventions by companies.— Where a contravention of any of the provisions of this Act, or any rule made thereunder has been committed by a company, the provisions contained in section 52 shall, mutatis mutandis, apply.”.

7. For section 53 of the principal Act, the following sections shall be substituted, namely:—

Substitution of
section 53.

“53. Compounding of contraventions.—(1) Any contravention of the provisions of this Act, except clause(b) of sub-section (1) of section 47 and section 50, may, either before or after the initiation of adjudication proceeding, but before the imposition of penalty, be compounded by Administrator, on payment of such amount as he may specify:

Provided that such amount shall not, in any case, exceed the maximum penalty which may be imposed under this Act for that contravention.

(2) Where any contravention has been compounded under sub-section (1), no other proceeding shall be initiated or continued under this Act in respect of that contravention”.

53-A. Adjudication.— (1) The Government may, for the purposes of adjudicating the contraventions and determining penalties under this Act, by notification in the Tamil Nadu Government Gazette, appoint an officer to be the adjudicating officer to hold an inquiry and impose penalty in such manner as may be prescribed:

Provided that the Government may appoint as many adjudicating officers as may be required.

(2) The adjudicating officer may summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document, which in the opinion of the adjudicating officer, may be useful for, or relevant to, the subject matter of the inquiry and if, on such inquiry, he is satisfied that the person concerned has contravened any of the provisions of this Act, he may impose such penalty as he deems fit:

Provided that no such penalty shall be imposed without giving a reasonable opportunity of being heard.

53-B. Appeal.— (1) Any person who is aggrieved by an order passed by the adjudicating officer under section 53-A may prefer an appeal to the appellate officer as may be notified by the Government in the Tamil Nadu Government Gazette, within sixty days from the date of receipt of the order in such manner as may be prescribed:

Provided that an appeal may be admitted after the expiry of the period of sixty days if the appellate officer is satisfied that the appellant had sufficient cause for not preferring the appeal within that period.

(2) The appellate officer may, after giving an opportunity of hearing to the parties to the appeal, pass such order as he may think fit.

(3) The appellate officer shall dispose of the appeal within sixty days from the date of filing of appeal.

53-C. Recovery.— If the penalty imposed under section 53-A or under section 53-B, as the case may be, is not deposited in such manner as may be prescribed, the amount due shall be recovered as an arrear of land revenue.”.

Amendment of
section 62.

8. In section 62 of the principal Act, for the expression “section 21 of the Indian Penal Code (Central Act XLV of 1860)”, the expression “clause (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023)” shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

The Government of Tamil Nadu is committed to promote ease of doing business and ease of living and to make the State the most preferred global investment destination by eliminating unnecessary prosecution and by simplifying the regulatory procedure. To achieve the above goal, the Government of Tamil Nadu is making its sincere efforts to implement various reforms in the legislative field, which will catalyze sustainable economic growth and improved ease of doing business.

2. In order to promote ease of doing business and ease of living and to enhance trust-based Governance, it is imperative to decriminalize certain minor offences and procedural lapses and to impose civil monetary penalties through administrative process of adjudication instead of criminal punishments such as imprisonment and fine through prosecution before courts of law. Accordingly, the Government have decided to amend the Tamil Nadu Highways Act, 2001 (Tamil Nadu Act 34 of 2002) suitably for the said purposes.

3. The Bill seeks to give effect to the above decision.

E.V. VELU,
Minister for Public Works.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

Clauses 1(2) and 7 of the Bill authorise the Government to issue notifications or to make rules, as the case may be, for the purposes specified therein.

2. The powers delegated are normal and not of an exceptional character.

E.V. VELU,
Minister for Public Works.

Secretariat,
Chennai,
17th October 2025.

K. SRINIVASAN,
Principal Secretary.