

**BILLS INTRODUCED IN THE LEGISLATIVE ASSEMBLY
OF THE STATE OF TAMIL NADU**

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of Tamil Nadu on 10th January, 2025 is published together with Statement of Objects and Reasons for general information:—

L.A Bill No. 3 of 2025

**A Bill further to amend the Tamil Nadu Prohibition of
Harassment of Woman Act, 1998.**

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

1. (1) This Act may be called the Tamil Nadu Prohibition of Harassment of Woman (Amendment) Act, 2025. Short title and commencement.

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

Tamil Nadu Act 44
of 1998.

2. In section 2 of the Tamil Nadu Prohibition of Harassment of Woman Act, 1998 (hereinafter referred to as the principal Act), — Amendment of section 2.

(1) for clause (a), the following clause shall be substituted, namely: —

“(a) “harassment” means any indecent conduct, act or behaviour by a man, whether physical, verbal, non-verbal, digital, electronic or any other means, which causes or is likely to cause intimidation, fear, shame or embarrassment including threat or abusing or causing hurt or nuisance or assault or use of force.”;

(2) in clause (c), for the expression “Indian Penal Code, 1860 (Central Act XLV of 1860)”, the expression “Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023) and the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023)” shall be substituted.

Amendment of
section 4.

3. In section 4 of the principal Act, for the expression “shall be punished with imprisonment for a term which may extend to three years and with fine which shall not be less than ten thousand rupees”, the expression “shall be punished on first conviction with imprisonment for a term which may extend to five years and with fine which shall not be less than one lakh rupees and be punished on a second or subsequent conviction, with imprisonment for a term which shall not be less than five years but which may extend to ten years and with fine which shall not be less than ten lakh rupees” shall be substituted.

Amendment of
section 4-A.

4. In section 4-A of the principal Act,—

(1) in sub-section (1), for the expression “section 294, 354 or 509 of the Indian Penal Code (Central Act XLV of 1860)”, the expression “section 74, 75, 76, 77, 78, 79 or section 296 of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023)” shall be substituted;

(2) in sub-section (2),—

(a) in clause (i), for the expression “shall be punished with imprisonment of either description for a term which may extend to imprisonment for life and with fine which shall not be less than fifty thousand rupees”, the expression “shall be punished with imprisonment for life which shall mean imprisonment for the remainder of that person’s natural life and shall also be liable for fine which shall not be less than two lakh rupees or with death” shall be substituted;

(b) in clause (ii), for the expression “shall be punished with imprisonment of either description for a term which may extend to ten years and with fine which shall not be less than fifty thousand rupees”, the expression “shall be punished with imprisonment of either description for a term which may extend to fifteen years and with fine which shall not be less than two lakh rupees” shall be substituted;

(c) in clause (iii), for the expression “shall be punished with imprisonment of either description for a term which may extend to ten years and with fine which shall not be less than twenty-five thousand rupees”, the expression “shall be punished with imprisonment of either description for a term which may extend to fifteen years and with fine which shall not be less than one lakh rupees” shall be substituted.

Amendment of
section 4-B.

5. In section 4-B of the principal Act,—

(1) in sub-section (1), for the expression “section 294, 354 or 509 of the Indian Penal Code (Central Act XLV of 1860)” the expression “section 74, 75, 76, 77, 78, 79 or section 296 of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023)” shall be substituted;

(2) in sub-section (2), for the expression “shall be punished with imprisonment of either description for a term which may extend to ten years and with fine which shall not be less than fifty thousand rupees”, the expression “shall be punished with imprisonment of either description for a term which may extend to fifteen years and with fine which shall not be less than two lakh rupees” shall be substituted.

Amendment of
section 4-C.

6. In section 4-C of the principal Act, for the expression “section 294, 354 or 509 of the Indian Penal Code (Central Act XLV of 1860)”, the expression “section 74, 75, 76, 77, 78, 79 or section 296 of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023)” shall be substituted.

7. In section 5 of the principal Act,—

Amendment of
section 5.

(1) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) Any person who is in-charge of educational institution, hostel, temple or other places of worship, cinema theatre, hotel, restaurant, hospital, any home or hostel for care and protection of women and children by whatever name called, mall or any other precinct shall,—

(a) take steps including installation of Closed-Circuit Television Cameras, lights and such other measures as may be prescribed to prevent harassment of woman within the precinct;

(b) on a complaint made by an aggrieved person, give information to the police about the harassment of woman within twenty-four hours of the occurrence of the incident.”;

(2) in sub-section (2), for the expression “two thousand rupees”, the expression “fifty thousand rupees” shall be substituted.

8. In section 6 of the principal Act, in sub-section (2), for the expression “one thousand rupees”, the expression “twenty-five thousand rupees” shall be substituted.

Amendment of
section 6.

9. In section 7 of the principal Act, in sub-section (1), for the expression “five thousand rupees”, the expression “seventy-five thousand rupees” shall be substituted.

Amendment of
section 7.

10. After section 7-A of the principal Act, the following sections shall be inserted, namely:—

Insertion of
sections 7-B and
7-C

“7-B. Offences to be cognizable and non-bailable.— The offences punishable under sections 4, 4-A, 4-B and 7-C of this Act shall be cognizable and non-bailable.

7-C. Protection Order.—(1)The Executive Magistrate, may, on an application made by the aggrieved person or otherwise, after obtaining the report of the Investigation Officer concerned and after giving the accused an opportunity of being heard and on being prima facie satisfied that an offence punishable under section 4 of this Act or an offence punishable under section 74, 75, 76, 77, 78, 79 or section 296 of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023), has been committed, pass a Protection Order prohibiting the accused from attempting to communicate with the aggrieved person in any form, whatsoever, including personal or oral or written or electronic or telephonic contact or through third parties.

(2) A breach of Protection Order by the accused shall be an offence under this Act and shall be punishable with imprisonment of either description for a term which may extend to three years and with fine which may extend to one lakh rupees.”.

STATEMENT OF OBJECTS AND REASONS

The Government of Tamil Nadu have created a safe environment for women in the State and it has led to empowerment of women. About 41 percent of women working in factories across India are employed in this State. Further, the State has a high female enrolment in both Schools and Colleges.

2. In order to prevent eve-teasing in public places, the Tamil Nadu Prohibition of Eve-teasing Act, 1998 (Tamil Nadu Act 44 of 1998) was enacted and later it was renamed as the Tamil Nadu Prohibition of Harassment of Woman Act, 1998. More than two decades have passed since the enactment of the said Act. Nowadays, harassment of woman through digital and electronic means is rampant. Hence, there is an urgent need to amend the said Act in order to bring different types of harassments inflicted to women including those through digital and electronic means also within the ambit of the said Act. There is also an urgent need to enhance the punishments for harassment of woman so that such deplorable acts will be curtailed and the perpetrators will face severe punishment for their crimes.

3. Therefore, to reinforce the security of the woman, it is proposed to enlarge the scope of the said Principal Act and to prescribe stringent penalties against the offenders who harass woman. Accordingly, the Government have decided to amend the said Tamil Nadu Act 44 of 1998 suitably for the aforesaid purpose.

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

M.K. STALIN,
Chief Minister.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

Clauses 1 (2) and 7 of the Bill authorise the Government to issue notification and rules for the purpose specified therein.

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

M.K. STALIN,
Chief Minister.

Secretariat,
Chennai-600 009,
10th January 2025.

K. SRINIVASAN,
Principal Secretary.