

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. 42 of 2025**

**A Bill further to amend the Tamil Nadu Private Colleges  
(Regulation) Act, 1976.**

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 Private Colleges (Regulation) Amendment Act, 2025. Short title and commencement.

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

President's Act 19  
of 1976

2. In section 42 of the Tamil Nadu Private Colleges (Regulation) Act, 1976 (hereinafter referred to as the principal Act), for the expression "punishable with fine which may extend to one hundred rupees", the expression "liable for a penalty which may extend to one lakh rupees" shall be substituted. Amendment of section 42.

Amendment of  
section 43.

3. In section 43 of the principal Act,—

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

"(1) If any person wilfully contravenes, or attempt to contravene, or knowingly abets the contravention of any of the provisions of this Act or any rule made thereunder, shall be liable for a penalty which may extend to two lakh rupees and in the case of continuing contravention, shall be liable for an additional penalty which may extend to five thousand rupees for every day during which such contravention continues, after imposition of the penalty.";

(2) in sub-section (2), for the expression "punishable with imprisonment for a term which may extend to one month, or with fine which may extend to one thousand rupees, or with both", the expression "liable for a penalty which may extend to five lakh rupees" shall be substituted.

Insertion of new  
sections 43-A,  
43-B, 43-C and  
43-D.

4. After section 43 of the principal Act, the following sections shall be inserted, namely:—

**“43-A. Compounding of contraventions.—**(1) Any contravention liable for penalty under section 42 or under section 43 may, either before or after the initiation of adjudication proceeding but before the imposition of penalty, be compounded by such officer, as may be notified by the Government in the Tamil Nadu Government Gazette, on payment of such amount as that officer 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.

**43-B. 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 failed to comply with 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.

**43-C. Appeal.—**(1) Any person who is aggrieved by an order passed by the adjudicating officer under section 43-B 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 the parties to the appeal an opportunity of being heard, 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.

**43-D. Recovery.—**If the penalty imposed under section 43-B or under section 43-C, 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.”.

5. For section 44 of the principal Act, the following section shall be substituted, namely:—

Substitution of  
section 44.

**“44. Contravention by companies.**— (1) Where a contravention of any of the provisions of this Act or any rule made thereunder has been committed by a company, every person who, at the time the contravention was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to have contravened and shall be liable for a penalty specified under this Act:

Provided that nothing contained in this sub-section shall render any such person liable to any penalty provided in this Act, if he proves that the contravention was committed without his knowledge or that he had exercised all due diligence to prevent such contravention.

(2) Notwithstanding anything contained in sub-section (1), where any such contravention has been committed by a company and it is proved that the contravention 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, such director, manager, secretary or other officer, shall also be deemed to have contravened and shall be liable for a penalty specified under this Act.

Explanation.— For the purposes of this section,—

(a) “company” means any body corporate and includes a trust, a firm, a society or other association of individuals; and

(b) “director” in relation to—

(i) a firm, means a partner in the firm,

(ii) a society, a trust or other association of individuals, means the person who is entrusted under the rules of the society, trust or other association, with the management of the affairs of the society, trust or other association, as the case may be.”.

6. Sections 45 and 46 of the principal Act shall be omitted.

Omission of  
sections  
45 and 46.

7. In section 48 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.

Amendment of  
section 48.

**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 Private Colleges (Regulation) Act, 1976 (*President's Act 19 of 1976*) suitably for the said purposes.

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

**DR. GOVI. CHEZHIAAN,**  
*Minister for Higher Education.*

**MEMORANDUM REGARDING DELEGATED LEGISLATION**

Clauses 1(2) and 4 of the Bill authorise the Government to issue notification 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.

**DR. GOVI. CHEZHIAAN,**  
*Minister for Higher Education.*

Secretariat,  
Chennai,  
17th October 2025.

K. SRINIVASAN,  
*Principal Secretary.*