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Part IV—Section 2

Tamil Nadu Acts and Ordinances

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The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 21st January 2025 and is hereby published for general information:—

ACT No. 4 OF 2025.

An Act to repeal the Tamil Nadu Borstal Schools Act, 1925.

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:—

Short title.

1. This Act may be called the Tamil Nadu Borstal Schools (Repeal) Act, 2025.

Repeal of
Tamil Nadu
Act V of 1926.

2. The Tamil Nadu Borstal Schools Act, 1925 is hereby repealed. Tamil Nadu Act V of 1926.

(By Order of the Governor)

S. GEORGE ALEXANDER,
*Secretary to Government,
Law Department.*

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 21st January 2025 and is hereby published for general information:—

ACT No. 5 OF 2025

An Act 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.

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.

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.”.

(By Order of the Governor)

S. GEORGE ALEXANDER,
*Secretary to Government,
Law Department.*