

**TAMIL NADU PROHIBITION OF
EVE - TEASING ACT, 1998
(T.N. Act 44 of 1998)**

Statement of Objects and Reasons

Eve-teasing in public places has been a perennial problem. Recently, incidents of eve-teasing leading to serious injuries to, and even death of a woman have come to the notice of the Government. The Government are of the view that eve-teasing is a menace to society as a whole and has to be eradicated. With this in view, the Government decided to prohibit eve-teasing in the State of Tamil Nadu.

Accordingly, the Tamil Nadu Prohibition of Eve-teasing Ordinance, 1998 (Tamil Nadu Ordinance No. 4 of 1998) was promulgated by the Governor and the same was published in the Tamil Nadu Government Gazette Extraordinary, dated the 30th July 1998.

The bill seeks to replace the said ordinance.

An Act to prohibit eve-teasing in any place in the State of Tamil Nadu.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty ninth year of the Republic of India as follows:

1. As published in T.N. Govt. Gazette Extra., Pat IV Sec.2 Issue No.751 dated 24th Dec. 1998-received the assent of the Governor on the 23rd Dec. 1998.
2. Vide L.A. Bill No. 53 of 1998, introduced in the Legislative Assembly of the State of Tamil Nadu on the 24th Nov.1998.

- 1. Short title and commencement.**
 - (1) This Act may be called the Tamil Nadu Prohibition of Eve-teasing Act 1998.
 - (2) It shall be deemed to have come into force on the 30th day of July 1998.
- 2. Definitions:- In this Act, unless the context otherwise requires:-**
 - (a) "eve-teasing" means any indecent conduct or act by a man which causes or is likely to cause intimidation, fear, shame or embarrassment to a woman, including abusing or causing hurt or nuisance to, or assault, use of force on a woman.
 - (b) "public service vehicle" shall have the same meaning as defined in clause (35). of Section 2 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988).
 - (c) words and expressions used but not defined in this Act shall have the meaning assigned to them in the Indian Penal Code, 1860 (Central Act XLV of 1860)
- 3. Prohibition of eve-teasing :-** Eve teasing at any place is prohibited.

- 4. Penalty for eve-teasing:-** Whoever commits or participates in or abets eve-teasing in or within the precincts of any educational institution, temple or other place of worship, bus stop, road, railway station, cinema theatre, park, beach, place of festival, public service vehicle or any other place shall be punished with imprisonment for a term which may extend to one year or shall be liable to fine which may extend to ten thousand rupees or both.
- 5. Responsibility of Management of any precinct.**
- (1) Any person who is incharge of educational insitution. temple, or other places of worship, cinema theatre or any other precinct shall,-
- a) take such steps as he may deem fit to prevent eve-teasing within the precinct;
- b) on a compliant made by an aggrieved person, give information to the police about the eve-teasing.
- (2) Any person who fails to take action under sub-section (1) shall be liable to fine which may extend to two thousand rupees.
- 6. Duty of crew in public service vehicle :-**
- (1) Where any eve-teasing is committed in a

public service vehicle, the crew of such vehicle shall, on a complaint made by the aggrieved person, take such vehicle to the nearest police station and give information to the police.

- (2) Any crew who fail to take steps under sub-section (1) shall be liable to fine which may extend to one thousand rupees.

7. Deemed abetment :-

- (1) Where any vehicle is used in the commission of eve teasing, the driver of such vehicle shall be deemed to have abetted the offence of eve-teasing and shall be punished as provided in Section 4.
- (2) The vehicle specified in sub-section (1) shall be confiscated unless the owner of such vehicle proves that such vehicle was used in committing eve-teasing without his knowledge.

8. Operation of other laws not affected :- The provisions of this Act shall be in addition to, and not in derogation of, any other law for the time being in force.

9. Power to make rules :-

- (1) The State Government may make rules for carrying out the purposes of this Act.

- (2) All rules made under this Act shall be published in the Tamil Nadu Government Gazette and unless they are expressed to come into force on a particular day shall come into force on the day on which they are so published.
- (3) Every rule made under this Act shall, as soon as possible after it is made, be placed on the table of the Legislative Assembly, and if, before the expiry of the session in which it is so placed or the next session, the Assembly makes any modification in any such rule, or the Assembly decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

10. Repeal and Savings :-

- (1) The Tamil Nadu Prohibition of Eve-teasing Ordinance, 1998 (T.N. Ordinance 4 of 1998) is hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the ordinance shall be deemed to have been done or taken under this act.