

AS INTRODUCED IN THE RAJYA SABHA  
ON THE 5TH DECEMBER, 2025

**Bill No. XLVIII of 2025**

**THE BHARATIYA NYAYA SANHITA (AMENDMENT)  
BILL, 2025**

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**BILL**

*to amend the Bharatiya Nyaya Sanhita, 2023.*

BE it enacted by Parliament in the Seventy-sixth Year of the Republic of India as follows:—

**1. (1)** This Act may be called the Bharatiya Nyaya Sanhita (Amendment) Act, 2025.

Short title and commencement.

**5** (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Insertion of new section 72A.

Prohibition of victim shaming.

2. After Section 72 of the Bharatiya Nyaya Sanhita, 2023, the following new section shall be inserted, namely:—

45 of 2023.

**“72A.** (1) Whoever insults, ridicules, blames, shames or intimidates a woman or child against whom a sexual offence has been committed, as defined under the Bharatiya Nyaya Sanhita, 2023, the Protection of Children from Sexual Offences Act, 2012, or any other law for the time being in force, and makes, publishes, circulates, or transmits any statement, whether written, oral, or visual in any place within public view including digital or electronic platforms, which is intended to, or is likely to, lower the reputation of such victim or discredit them, shall be liable to punishment as provided under sub-section (3).

5 45 of 2023.  
32 of 2012.

(2) Whoever makes, publishes, circulates, or transmits any statement, whether written, oral, or visual in any place including digital or electronic platforms, with or without reference to any specific incident or individual, attributes the commission of sexual offences to the behaviour, clothing, manner of speech, lifestyle, or conduct of women or children in a manner that promotes, justifies, trivialises, or normalises such offences, shall be liable to punishment as provided under sub-section (3).

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(3) Whoever commits an offence under sub-sections (1) or (2) shall be punished—

(a) on first conviction, with imprisonment of either description for a term which may extend to two years, and with fine which may extend to two lakh rupees; and

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(b) on second or subsequent conviction, with imprisonment of either description for a term which may extend to five years, and with fine which may extend to ten lakh rupees.

(4) Where the offence under sub-sections (1) or (2) is committed by a public servant or public figure, such person shall be punished—

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(a) on first conviction, with imprisonment of either description for a term which may extend to three years, and with fine, which may extend to five lakh rupees; and

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(b) on second or subsequent conviction, with imprisonment of either description for a term which may extend to seven years, and with fine which may extend to fifteen lakh rupees.

*Explanation.*— For the purposes of this sub-section, “public figure” means any person who, by virtue of his profession, public role, or media visibility, commands significant public attention or influence in matters of public interest.

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(5) Any intermediary, publisher, or broadcaster, including but not limited to a social media platform, messaging service, digital news website, over-the-top content provider, television channel, or print publication, shall be liable for the publication, dissemination, or continued availability of any content in violation of the provisions of this section in the following circumstances:—

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(a) where such intermediary, publisher, or broadcaster, having actual knowledge of any content in violation of the provisions of this section, fails to remove or disable access to such content within twenty-four hours of obtaining such actual knowledge, shall be punished with fine which may extend to ten lakh rupees;

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5 (b) where such intermediary, publisher, or broadcaster, despite prior complaint, notice, lawful orders, or takedown directions issued in accordance with law, repeatedly permits the publication, dissemination, or continued availability of content prohibited under this section, shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to twenty lakh rupees, or with both; and

10 (c) The liability under this sub-section shall apply notwithstanding any protections or exemptions available under—

21 of 2000. (i) section 79 of the Information Technology Act, 2000 and the rules made thereunder;

7 of 1995. (ii) the Cable Television Networks (Regulation) Act, 1995;

37 of 1978. 15 (iii) the Press Council Act, 1978;

37 of 1952. (iv) the Cinematograph Act, 1952;

25 of 1990. (v) the Prasar Bharati (Broadcasting Corporation of India) Act, 1990; or

(vi) any other law for the time being in force.

20 *Explanation*.— For the purposes of this sub-section,—

25 (i) intermediary or publisher or broadcaster includes any entity as defined under clause (w) of sub-section (1) of Section 2 of the Information Technology Act, 2000, and includes entities regulated under the Cable Television Networks (Regulation) Act, 1995; the Press Council Act, 1978; the Cinematograph Act, 1952; the Prasar Bharati (Broadcasting Corporation of India) Act, 1990; and the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.

30 35 (ii) “actual knowledge” shall mean knowledge obtained through a direction from a court of competent jurisdiction, a lawful order issued by the appropriate Government or its authorised agency, or a written complaint from the victim or their authorised representative.

(6) The provisions of this section shall be in addition to, and not in derogation of, the provisions of section 72 of this Sanhita.

## STATEMENT OF OBJECTS AND REASONS

The proposed amendment seeks to insert a new section 72A in the Bharatiya Nyaya Sanhita, 2023, to explicitly criminalise the shaming, blaming, or public targeting of victims of sexual offences. It introduces graded punishments for individuals and enhanced penalties for public figures or public servants misusing their positions. It further ensures accountability of intermediaries and media platforms in promptly removing harmful content, thereby reinforcing a survivor-centric approach within the legal framework.

This legislative intervention is intended to create a safer and more dignified ecosystem for survivors, deter acts that contribute to their re-victimisation, and strengthen India's commitment to justice, gender sensitivity, and human rights.

Hence, this Bill.

SWATI MALIWAL.



RAJYA SABHA

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BILL

to amend the Bharatiya Nyaya Sanhita 2023.

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*(Ms. Swati Maliwal, M.P.)*