

**GOVERNMENT OF INDIA
ATOMIC ENERGY
LOK SABHA**

UNSTARRED QUESTION NO:5484

ANSWERED ON:28.04.2010

NUCLEAR LIABILITY BILL

Abdulrahman Shri ;Gaddigoudar Shri P.C.;Nahata Smt. P. Jaya Prada

Will the Minister of ATOMIC ENERGY be pleased to state:

- (a) whether the Government is considering to bring civil nuclear liability bill which will allow the foreign nuclear companies to set up nuclear reactors in India;
- (b) if so, the details thereof;
- (c) whether there is any provision for compensation to victims, if any, in case of nuclear accident;
- (d) if so, the details thereof; and
- (e) the time by which the proposed bill is likely to come into force?

Answer

THE MINISTER OF STATE FOR SCIENCE & TECHNOLOGY AND EARTH SCIENCES (INDEPENDENT CHARGE),
PMO, PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND PARLIAMENTARY AFFAIRS (SHRI PRITHVIRAJ CHAVAN)

- (a) The Government intends to introduce a Bill in the Lok Sabha to provide for civil liability for nuclear damage. The Atomic Energy Act, 1962 does not permit any foreign company to set up nuclear reactors in India. Nuclear power plants can only be set up either by the Central Government itself or through any authority or Corporation established by it or a Central Government Company.
- (b) The proposed legislation provides for prompt compensation to the victims of a nuclear incident. The Bill facilitates payment of compensation by enforcing no-fault liability on the operator of a nuclear installation. The Bill lays down the liability of the operator at rupees five hundred crores per nuclear incident and a maximum amount of liability at rupee equivalent of three hundred million Special Drawing Rights (at present exchange rate Rs 2163 crores) for a nuclear incidence. It also empowers the Government to increase or decrease the amount of liability of the operator depending on the risk involved.
- (c) & (d) The Atomic Energy Act, 1962 does not address the issue of civil nuclear liability. The Public Liability Insurance Act, 1991 (enacted in the aftermath of the tragedy caused by an accident in Bhopal in 1984) is not applicable to nuclear incidents. Thus, at present there is no law to provide compensation to the victims of a nuclear incident.
- (e) The Bill will be enacted into a law after completing all required procedures. The Act will enter into force after the notification by the government.