

**GOVERNMENT OF INDIA
ATOMIC ENERGY
LOK SABHA**

UNSTARRED QUESTION NO:2048

ANSWERED ON:05.12.2012

NUCLEAR AND RADIATION SAFETY POLICY

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Will the Minister of ATOMIC ENERGY be pleased to state:

- (a) the details of cases of radiation leakage from functioning and under shut down condition nuclear power plants reported during the last three years and the current year;
- (b) the details of steps taken/proposed to be taken to prevent radiation leakage;
- (c) whether there exists any national level nuclear and radiation safety policy;
- (d) if so, the details thereof and if not, the reasons therefor;
- (e) the details of penalties/fines that exist against offences and contraventions related to nuclear and radiation accidents;
- (f) whether the Government proposes to increase these penalties/fines which serve as deterrents;
- (g) if so, the details thereof and if not, the reasons therefor; and
- (h) the details of the legal powers vested with the nuclear regulator of the country?

Answer

THE MINISTER OF STATE FOR PERSONNEL, PUBLIC GRIEVANCES & PENSIONS AND PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY) :

(a) There have been no instances of any release of radiation beyond stipulated limits, either in the environment or in public domain from any of the nuclear power reactors in operation and under shutdown in the last three years and current year.

(b) Question does not arise as the discharges have been within the stipulated limit and through designed routes.

(c)&(d) The policies concerning nuclear and radiation safety that are regulated by Atomic Energy Regulatory Board (AERB) are enshrined in the high level documents of AERB, namely the Atomic Energy (Radiation Protection) Rules, 2004, the mission statement and the 'Codes' of AERB. These documents include the policies, principles and/or safety objectives that apply to the relevant activity/field and the specific regulatory requirements that are to be followed for fulfilling the same. The above mission, principles and objectives form the broader policy of AERB for regulation of nuclear and radiation safety in the country.

(e) As per section 30 (3) of the Atomic Energy Act, 1962, 'Rules made under this Act may provide that a contravention of the rules shall, save as otherwise expressly provided in the Act, be punishable with fine, which may extend up to five hundred rupees'. However, as per Section 24 of the Act, contravention of any rules made under Section 17 (special provisions as to safety) shall be punishable with imprisonment for a term which may extend to five years, or with fine, or both.

(f)&(g) No, Sir. Provisions of penalties against the offences and contraventions in nuclear and radiation facilities that serve as deterrents, have been specified in Section 24 and Section 30(3) of Atomic Energy Act, 1962. There are different kinds of enforcement actions available with AERB. These enforcement actions are commensurate with the seriousness of the non-compliance and range from written warnings to withdrawal/ suspension of the consent. Withdrawal of consent by itself is a very severe economic penalty and has the potential of seriously affecting the financial health of the stake holder.

(h) AERB has legal powers to carry out certain regulatory and safety functions envisaged under Sections 16, 17 and 23 of the Atomic Energy Act, 1962 and the following rules framed there under.

\$ Atomic Energy (Working of the Mines, Minerals and Handling of Prescribed Substance) Rules, 1984.

\$ Atomic Energy (Safe Disposal of Radioactive Wastes) Rules, 1987

\$ Atomic Energy (Factories) Rules, 1996

\$ Atomic Energy (Control of Food Irradiation) Rules, 1996

\$ Atomic Energy (Radiation Protection) Rules, 2004

AERB is also empowered to perform the functions under Section 10(1) (powers of entry) and 11(1) (powers to take samples) of Environmental Protection Act, 1986 and Rule 12 (agency to which information on excess discharge of pollutants to be given) of the

Environmental Protection (Amendment) Rules, 1987 with respect to radioactive substances.