# Indian Nuclear Liability Law

## Why in news?

A French private company and Nuclear Power Corporation of India (NPCIL) are resolving the issues in building the six nuclear power reactors in Maharashtra's Jaitapur.

## What is a nuclear liability law?

- Laws on civil nuclear liability ensure that compensation is available to the victims for nuclear damage caused by a nuclear incident or disaster.
- The international nuclear liability regime consists of multiple treaties and was strengthened after the 1986 Chernobyl nuclear accident.
- Umbrella ***Convention on Supplementary Compensation (CSC)*** was adopted in 1997 with the aim of establishing a minimum national compensation amount.
- India was a signatory to CSC but Parliament ratified the convention only in 2016.
- To keep in line with the international convention, India enacted the ***Civil Liability for Nuclear Damage Act (CLNDA)*** in 2010.

> *The **Vienna Convention** on Civil Liability for Nuclear Damage aims at establishing some minimum standards to provide financial protection against damage resulting from certain peaceful uses of nuclear energy.*

## What are the key aspects of CLNDA 2010?

- **Speedy compensation to victims** - Provides speedy compensation mechanism for victims of a nuclear accident.
- **Strict and no-fault liability on the operator** - Provides that the operator will be held liable for damage regardless of any fault on its part.
- **Right of recourse** - The operator of the nuclear plant, after paying their share of compensation for damage shall have the right of recourse where the nuclear incident has resulted as a consequence of an act of supplier or his employee.
- **Supplier liability** - The act has introduced the concept of supplier liability over the operator liabilities leading to many ambiguities.
- The supplier liability includes supply of equipment or material with patent or latent defects or sub-standard services.
- **Rs 1,500 crore as compensation** - In case of any damages the operator has to provide the minimum amount of 1500 crore rs to the victims through insurance or other financial security.
- **Rs 2,100 to Rs 2,300 crore** - As compensation in case of the damages exceeding the 1500 core rupees.

*India currently has 22 nuclear and All operated by the state-owned Nuclear Power Corporation of India Limited (NPCIL).*

## What are the issues now?

- CLNDA is the only law where suppliers can be asked to pay damages
- Ambiguity over how much insurance to set aside in case of damage claims have been concerns for suppliers
- It allows criminal liability to be pursued where applicable which have made wary scenario to many players to build nuclear reactors in India
- CLNDA lacks the definition on the types of nuclear damages
- Even if the operator the operator damages any equipment while fixing it the, supplier can be sued for the faultiness of the operator

## Quick facts

| **Nuclear Power Corporation of India Limited (NPCIL)** |
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| • NPCIL is a ***Public Sector Enterprise*** under the administrative control of the Department of Atomic Energy (DAE).<br>• NPCIL is responsible for design, construction, commissioning and operation of nuclear power reactors.<br>• NPCIL also has ***equity participation in BHAVINI***, another PSU of Department of Atomic Energy (DAE) which implements Fast Breeder Reactors programme in the country.<br>• NPCIL is presently operating 22 commercial nuclear power reactors with an installed capacity of 6780 MW. |
| **International Atomic Energy Agency (IAEA)** |
| • IAEA is the world's ***central intergovernmental forum*** for scientific and technical co-operation in the nuclear field.<br>• IAEA works for the ***safe, secure and peaceful uses*** of nuclear science and technology.<br>• IAEA contributes to international peace and security and the United Nations' Sustainable Development Goals. |

**References**


1. The Hindu| Nuclear Liability Law
2. IAEA| About IAEA
3. NPCIL| About NPCIL



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