

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)

- NPCIL is a **Public Sector Enterprise** under the administrative control of the Department of Atomic Energy (DAE).
- NPCIL is responsible for design, construction, commissioning and operation of nuclear power reactors.
- NPCIL also has **equity participation in BHAVINI**, another PSU of Department of Atomic Energy (DAE) which implements Fast Breeder Reactors programme in the country.
- 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.
- IAEA works for the **safe, secure and peaceful uses** of nuclear science and technology.
- 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](#)