

GOVERNMENT OF INDIA
DEPARTMENT OF ATOMIC ENERGY
RAJYA SABHA
UNSTARRED QUESTION NO-2243
ANSWERED ON 12/03/2026

CHANGE IN NUCLEAR LIABILITY

2243. SHRI VIVEK K. TANKHA

Will the PRIME MINISTER be pleased to state:-

- (a) whether Government has altered the existing nuclear liability and regulatory framework to facilitate private sector participation without first placing the legislation before a Parliamentary Standing or Select Committee for detailed scrutiny;
- (b) how public safety, environmental protection and long-term nuclear waste management would be ensured if liability exposure of operators or suppliers is diluted;
- (c) why an independent nuclear safety regulator has not been established; and
- (d) whether Government proposes to protect citizens and taxpayers from financial and health risks in the event of a nuclear accident while expanding private participation in the sector?

ANSWER

THE MINISTER OF STATE FOR PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
AND PRIME MINISTER'S OFFICE (DR. JITENDRA SINGH)

- (a) The SHANTI Act was drafted in accordance with legislative processes including Interministerial consultations and discussions with subject domain experts.
- (b) The SHANTI Act aligns India's nuclear liability regime with the international liability regime. The operator's liability for nuclear damage has been graded based on the type of nuclear installation. The Act has set the stage for a future in which nuclear energy becomes the backbone of India's development. The Act ensures public safety, environmental protection, and long-term nuclear waste management.
- (c) The responsibility for ensuring the safety of civilian nuclear facilities in India lies solely with the Atomic Energy Regulatory Board (AERB). In order to provide statutory status to AERB, the SHANTI Act establishes AERB as a regulatory body through the Act for carrying out safety oversight function. This would strengthen the legal framework for regulation of nuclear and radiation safety in the country and continue to strive highest standards of safety based on scientific approach, operating experience and best international practices. AERB inspectors are authorized to conduct regular inspections of

licensed facilities to verify compliance. In cases where non-compliance is identified, AERB will provide corrective recommendations and technical guidance. In extreme situations of non-compliance, AERB holds the authority to suspend or revoke the operating license.

- (d) The operator of the nuclear power plant is made responsible under the SHANTI Act for prompt compensation for the nuclear damages in case of nuclear incidents. The operator is responsible for maintaining sufficient financial security / insurance for the payment of compensation to victims of nuclear damage. The amount of compensation to be paid by the operator in case of nuclear incident will be based on the type of the nuclear facility which is also provided in the Schedule of SHANTI Act.
