

The Sustainable Harnessing and Advancement of Nuclear Energy for Transforming India Bill, 2025- Introduced

THE MINISTER OF STATE OF THE MINISTRY OF SCIENCE AND TECHNOLOGY; MINISTER OF STATE OF THE MINISTRY OF EARTH SCIENCES; MINISTER OF STATE IN THE PRIME MINISTERS OFFICE; MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS; MINISTER OF STATE IN THE DEPARTMENT OF ATOMIC ENERGY; AND MINISTER OF STATE IN THE DEPARTMENT OF SPACE (DR. JITENDRA SINGH): Sir, I rise to move for leave to

introduce a Bill to provide for the promotion and development of nuclear energy and ionising radiation for nuclear power generation, application in healthcare, food, water, agriculture, industry, research, environment, innovation in nuclear science and technology, for the welfare of the people of India, and for robust regulatory framework for its safe and secure utilisation and for matters connected therewith or incidental thereto.

माननीय सभापति : प्रस्ताव प्रस्तुत हुआ :

कि भारत के लोगों के कल्याण के लिए नाभिकीय विद्युत उत्पादन, स्वास्थ्य देखरेख, खाद्य, जल, कृषि, उद्योग, अनुसंधान, पर्यावरण, नाभिकीय विज्ञान और प्रौद्योगिकी में नवपरिवर्तन हेतु नाभिकीय ऊर्जा और आयनकारी विकिरण के संवर्धन, और विकास तथा इसके क्षेमपूर्ण और सुरक्षित उपयोग के लिए सुदृढ़ विनियामक ढांचे और उससे संसक्त या उसके आनुषंगिक विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए ।

श्री बैन्नी बेहनन जी उपस्थित नहीं ।

श्री मनीश तिवारी जी ।

SHRI MANISH TEWARI (CHANDIGARH): Hon. Chairperson, Sir, I rise to oppose the introduction of the Sustainable Harnessing and Advancement of Nuclear Energy for Transforming India Bill, 2025 under Rule 72(1) of the Rules of Procedure and Conduct of Business on the Lok Sabha on the following grounds.

Firstly, the Bill confers sweeping and pervasive powers to the Central Government across licencing, regulation, acquisition, tariff fixation, exemptions, emergency powers and even novation of private contracts. The clauses empowering the Centre

to acquire mines, plants, reactors, substances and contractual rights by executive action, while compensation is determined largely by the Government, itself raises grave concerns under Article 300A of the Constitution of India and the guarantee against arbitrary deprivation of property.

Secondly, permitting profit-seeking private participation in ultra-hazardous nuclear activities while simultaneously limiting liability, granting statutory immunities and restricting judicial remedies undermines the States non-delegable public trust obligations over life, health and the environment, and such an arrangement amounts to an unconstitutional abdication of essential sovereign responsibilities and functions under Articles 21 and 48A where the State is required to act as a trustee and a guarantor and not merely as a facilitator or a licensor.

Thirdly, the Bill suffers from excessive delegation of essential legislative functions. The core policy matters such as liability limits, safety standards, exemptions, regulatory norms, emergency measures and even amendment of Schedules are left to rules, regulations or notifications issued by the Executive. This abdication of Parliamentary responsibility violates settled constitutional limits on delegated legislation under Articles 245 and 246.

Finally, Mr. Chairperson, Sir, the Bill concentrates legislative, executive, regulatory and quasi-judicial powers in the Central Government and authorities appointed, controlled and removable by it, including the Atomic Energy Regulatory Board which needs to be an independent autonomous statutory regulator. The absence of institutional independence coupled with wide direction issuing powers and insulation clauses undermines the doctrine of separation of powers which is a basic feature of the Constitution.

On these grounds, I strongly oppose the introduction of this Bill. (*Interruptions*)

HON. CHAIRPERSON: Thank you.

Hon. Minister, Sir.

(*Interruptions*)

DR. JITENDRA SINGH: Shri Manish Tewari ji, (*Interruptions*), is a good friend and his points are well taken but I just want to mention that most of these objections are based on the merits of the Bill which are, normally and by

convention, taken up during the discussion. Sir, right now we are here only for competency of the introduction of the Bill. *(Interruptions)*

HON. CHAIRPERSON: Hon. Shri N. K. Premachandran ji.

(Interruptions)

SHRI MANISH TEWARI: Under this, there are two situations. One is generic operation of the Bill and on legislative competence.

SHRI N. K. PREMACHANDRAN (KOLLAM): Thank you very much, Sir. Under Rule 72(2) of the Rules of Procedure and Conduct of Business in Lok Sabha. I do oppose the Bill, the Sustainable Harnessing and Advancement of Nuclear Energy for Transforming India Bill, 2025. My point is that it is against the principles, against the Directive Principles of State Policy in Part IV of the Constitution of India.

We are having the Atomic Energy Act and all legal mechanisms are also there. While promoting this Bill, the nuclear energy, rare earth minerals, mining, mineral separation and nuclear section, everything is being vested with the public sector undertakings. The entire purpose of this Bill is this. The basic purpose by which this law is being brought in is so as to privatise the nuclear energy sector for the private companies. I am not mentioning any companies. I am from an area, rich in minerals where we are having abundant Thorium. The supply of Thorium is also there but unfortunately, it is not being exploited and utilised by the Government public sector undertakings so that the private entities and the private corporates could make use of it, for which this Bill is being brought in. *(Interruptions)*. So, it is against the Directive Principles of State Policy.

Therefore, I strongly oppose the introduction of the Bill on the basis of these objections. Thank you very much, Sir.

PROF. SOUGATA RAY (DUM DUM): Sir, I oppose this Bill with a long name, Sustainable Harnessing, etc. etc.

Now, this Bill is a watershed in the history of the development of nuclear power in the country.

You know that Pandit Jawaharlal Nehru, our first Prime Minister, set up the Atomic Energy Commission. The Atomic Energy Commission made a significant progress in harnessing atomic energy, with our first nuclear power plant in Tarapur. India undertook two nuclear explosions -- implosions, whatever you call it. The first

explosion was conducted at Pokhran in 1974, and, then, under Atal Bihar Vajpayee, the second explosion was conducted again at Pokhran in 1998. So, the nuclear energy has been a matter of importance to the people. *(Interruptions)*

HON. CHAIRPERSON: Kindly be seated.

(Interruptions)

HON. CHAIRPERSON: Hon. Member, Shri Sanjay Jaiswal ji.

(Interruptions)

PROF. SOUGATA RAY: In 2004, during the Prime Ministership of Dr. Manmohan Singh, there was a big dispute in the country over the introduction of the Nuclear Liability Bill. Dr. Manmohan Singhs purpose was to get the nuclear energy technical know-how from America and other countries.

Now, this is a new step where slowly the nuclear energy sector is sought to be given over to the private sector. The Government has been talking about this for some time. Now, we have the Adani who is big in the power sector. Now, they want to give in to nuclear power sector and this Bill is aimed to facilitate Adani and other people. *(Interruptions)*

HON. CHAIRPERSON: I heard you, Sir.

(Interruptions)

HON. CHAIRPERSON: Now, hon. Minister Shri Kiren Rijju ji.

(Interruptions)

THE MINISTER OF PARLIAMENTARY AFFAIRS; AND MINISTER OF MINORITY AFFAIRS (SHRI KIREN RIJJU): The hon. Members are repeatedly raising the opposition, opposing the introduction of the Bill. *(Interruptions)* Today, we are not passing the Bill. The Bill is not proposed for consideration. It is only proposed for introduction. Most of the oppositions, which are coming, are being repeatedly mentioned by the hon. Members including what Manish Tewari ji has mentioned.

I have a specific point only. Rule 72(1) is very specific on the legislative competence of this House to bring in this Legislation. Under the Seventh Schedule of the Constitution, in the Union List at Sl. No. 6, it is very specific -- atomic energy and mineral resources necessary for its production.

Sir, this House has a full legislative competence to bring in this Bill, and, as the hon. Minister has stated, if there are considerations on merits, it should be brought at the time of the consideration. At this point of time, it is only the introduction of the Bill. *(Interruptions)* That will come back. *(Interruptions)*

Today, we are not putting it for consideration.

DR. JITENDRA SINGH: Sir, even if it is assumed that it is not in the competence of the House to bring in a Bill related to the nuclear energy or atomic energy, may I remind the hon. Members of the House that the same House brought the Atomic Energy Act, 1962 when Pandit Jawaharlal Nehru ji was the Prime Minister and the same House brought the CLND Bill when Dr. Manmohan Singh was the Prime Minister.

Sir, if the Bill could be brought in, in the House, when Nehru ji was the Prime Minister and if it could be brought in, in the House, when Dr. Manmohan Singh was the Prime Minister, then, why -- because there is a different Political Party in power -- has the House suddenly been forbidden from the prerogative of bringing in a Bill on this subject? *(Interruptions)*

HON. CHAIRPERSON: I have heard both the sides.

(Interruptions)

माननीय सभापति : प्रश्न यह है :

कि भारत के लोगों के कल्याण के लिए नाभिकीय विद्युत उत्पादन, स्वास्थ्य देखरेख, खाद्य, जल, कृषि, उद्योग, अनुसंधान, पर्यावरण, नाभिकीय विज्ञान और प्रौद्योगिकी में नवपरिवर्तन हेतु नाभिकीय ऊर्जा और आयनकारी विकिरण के संवर्धन, और विकास तथा इसके क्षेमपूर्ण और सुरक्षित उपयोग के लिए सुदृढ़ विनियामक ढांचे और उससे संसक्त या उसके आनुषंगिक विषयों का उपबंध वाले विधेयक को पुरःस्थापित करने की अनुमति प्रदान की जाए ।

प्रस्ताव स्वीकृत हुआ ।

DR. JITENDRA SINGH: Hon. Chairperson, Sir, I introduce the Bill.