

GOVERNMENT OF INDIA  
DEPARTMENT OF ATOMIC ENERGY  
**RAJYA SABHA**  
**UNSTARRED QUESTION NO.2172**  
TO BE ANSWERED ON 13.12.2012

**PERFORMANCE OF ATOMIC ENERGY REGULATORY BOARD (AERB)**

2172. SHRI JAGAT PRAKASH NADDA:

Will the PRIME MINISTER be pleased to state:

- (a) whether it is a fact that the maximum amount of fines against offences/contraventions related to nuclear and radiation facilities are too low;
- (b) if so, whether the Government has considered revising these fines;
- (c) if so, the details thereof;
- (d) whether it is a fact that around 91 per cent of the medical X-ray facilities in the country are not registered with AERB; and
- (e) if so, under what regulatory body do the X-rays facilities are registered?

**ANSWER**

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

- (a)to(c) 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. Thus, Section 24 of the Act has expressly made provisions for just and reasonable punishment for serious violations while Section 30(3) provides for minor administrative lapses. In view of this the Government has not considered revising these fine.

Depending on type of non-compliance, AERB is also empowered to revoke the license of a nuclear and radiation facility. Withdrawal of Consent for operating the facility by itself is a very severe economic penalty and has the potential of seriously affecting the financial health of the Licensee.

- (d)&(e) It is true that there are a large number of diagnostic X-ray units/facilities in the country and not all these units are under the regulatory control of AERB. However, the radiation hazard