

'SHANTI OR SHAM?'

Exposing India's Corporate Nuclear Push and Defending People, Democracy & Ecology

(A Critical Guide to the SHANTI Bill and Its Impact on Communities, Rights and the Environment)



FRIENDS OF THE EARTH INDIA

SHANTI OR SHAM?

**Exposing India's Corporate Nuclear Push
and Defending People, Democracy & Ecology**

(A Critical Guide to the SHANTI Bill and
Its Impact on Communities, Rights and the Environment)

PUBLISHED BY

Friends of the Earth India (FOE India)

 Email: foeindia21@gmail.com

 Phone: +91 9809477058

 Website: <https://foeindia.net>

CONTENT

Chapter 1: Why the SHANTI Bill Matters

This chapter explains why the SHANTI Bill is not a routine policy change but a fundamental shift in India's energy, safety, and democratic governance. It highlights how nuclear risks are irreversible, intergenerational, and incompatible with weakened accountability and privatisation.

Chapter 2: What the SHANTI Bill Changes in Nuclear Law and Governance

This chapter outlines how the Bill dismantles public control over the nuclear sector, dilutes parliamentary oversight, and introduces corporate and foreign actors into the nuclear fuel cycle—undermining sovereignty, safety, and democratic accountability.

Chapter 3: Health, Livelihood, Land, Water & Ecological Risks of Nuclear Power and SMRs

This chapter examines the real-world impacts of nuclear power and Small Modular Reactors (SMRs) on public health, agriculture, fisheries, water systems, ecosystems, and traditional livelihoods, drawing from Indian and global experiences.

Chapter 4: Weak Liability, Denial of Justice & Public Burden

This chapter exposes how the SHANTI Bill weakens liability, removes supplier accountability, caps compensation, and transfers the financial, social, and health costs of nuclear accidents onto the public and future generations.

Chapter 5: Rights of Affected Communities and Democratic Options for Resistance

This chapter affirms constitutional, environmental, and human rights of affected communities and outlines legal, democratic, and grassroots strategies to resist nuclear projects and assert people's control over energy decisions.

Chapter 6: Rebutting Government Claims on Nuclear Energy

This chapter critically examines official claims about energy security, safety, seismic risks, cancer incidence, and economic benefits, using historical data, independent studies, and lived community experiences.

Chapter 7: Our Collective Demands

This chapter presents clear political and policy demands for repealing or radically amending the SHANTI Bill, restoring public control, strengthening liability, and shifting towards safe, decentralised, renewable energy systems.

Chapter 8: Join the Campaign

This chapter invites citizens, communities, movements, and organisations to join the national anti-nuclear campaign, strengthen solidarity, and defend life, democracy, and ecological justice.

CHAPTER 1

Why the SHANTI Bill matters

India stands at a critical crossroads in its energy and democratic future. Decisions taken today on nuclear energy, public safety, corporate power, and citizens' rights will have consequences that last for generations. The SHANTI Bill — formally titled the *Sustainable Harnessing and Advancement of Nuclear Energy for Transforming India Bill, 2025* — represents one such decision of far-reaching importance. Passed hurriedly through Parliament in December 2025 without adequate debate, expert scrutiny, or public consultation, the Bill marks a fundamental shift in how nuclear power is governed, regulated, and justified in India.

This awareness material has been prepared to unpack what the SHANTI Bill actually does, beyond the reassuring language of “clean energy,” “development,” and “national progress” used by the government. Nuclear energy is not an ordinary sector. It involves radioactive materials, irreversible ecological damage, long-term health risks, and the possibility — however small — of catastrophic accidents whose impacts transcend borders, generations, and ecosystems. For such a sector, strong public control, strict liability, transparency, and democratic consent are not optional; they are essential. The SHANTI Bill weakens these safeguards by opening the nuclear sector to private and foreign corporations, diluting liability laws, centralising executive power, and narrowing avenues for justice and public participation.

At the same time, the Bill must be understood within a broader political context where democratic spaces are shrinking and dissent around large infrastructure and high-risk projects is increasingly treated as a law-and-order problem. Communities living near nuclear facilities — farmers, fisherfolk, workers, women, and indigenous peoples — bear the risks but are excluded from decision-making. This handbook is intended as a resource for citizens, movements, students, and policymakers to understand the implications of the SHANTI Bill, challenge misleading narratives, defend constitutional rights, and collectively imagine safer, just, and democratic energy pathways for India.

Key reasons the Bill matters:

- **It shifts the nuclear sector from sovereign public control to private and corporate participation.**

The SHANTI Bill breaks from India's long-standing approach of treating nuclear energy as a strategic, publicly controlled sector. By opening the nuclear fuel cycle to private and foreign players, it prioritises commercial interests over public safety and long-term accountability in an industry that involves extreme and irreversible risks.

- **It weakens liability and undermines justice for affected communities.**

By capping liability and removing supplier accountability, the Bill restricts victims' rights to compensation and legal recourse. This transfers nuclear risk from corporations to citizens and taxpayers, even though nuclear harm often unfolds over decades.

- **It centralises power and weakens democratic oversight.**

The Bill concentrates regulatory and licensing authority in the Union government, sidelining Parliament, independent regulators, state governments, and civil society. Such centralisation reduces transparency and increases the danger of unaccountable decision-making in a high-risk sector.

- **It misrepresents nuclear energy as “clean” and “sustainable.”**

By focusing narrowly on low operational emissions, the Bill obscures the full environmental, health, and waste-related impacts of nuclear power, limiting informed public debate and masking long-term ecological and social risks.

Independent analyses have raised concerns about both the substance of the Bill and the manner of its passage, describing it as over-centralised, pro-private, and potentially harmful to public safety and democratic accountability.



CHAPTER 2

What the shanti bill changes in nuclear law and governance

The SHANTI Bill proposes wide-ranging amendments to two foundational statutes:

1. **Atomic Energy Act, 1962-** India's core nuclear law governing the entire nuclear fuel cycle.
2. **Civil Liability for Nuclear Damage Act, 2010-** the legal framework defining liability, compensation, and victim rights following nuclear incidents.

A. Ideological Framing That Misrepresents Reality

The Bill's preamble describes nuclear power as "clean," "abundant," and central to a "Viksit Bharat." Yet:

- Nuclear energy generation still produces **long-lived radioactive waste** with no permanent disposal solution.
- Uranium reserves in India are limited; thorium-based reactors are experimental and **decades away from commercial deployment** due to technological and economic barriers.
- The nuclear lifecycle- from mining to waste- **generates hazardous byproducts**, contradicting claims of sustainability.

This ideological framing mirrors corporate marketing language rather than scientific realities. Researchers and energy analysts globally note that while nuclear power has relatively low operational carbon emissions, its overall lifecycle emissions are significantly higher during the initial years due to energy-intensive construction, mining, fuel processing, and infrastructure development. More importantly, assessments of sustainability cannot ignore unresolved long-term radioactive waste management, accident risks, and catastrophic consequences. Critical evaluations of these issues are well documented in scientific literature and independent energy and policy analyses.

B. Blanket Opening of the Nuclear Sector

Under Section 3 of the Bill, the government can permit "any person" or "any company" to apply for a licence to undertake nuclear activities, including:

- Uranium mining and processing

The Threat We Face

- SHANTI Bill**
Government proposes amendments to Atomic Energy Act, 1962 allowing private sector participation in nuclear power.
- 49% Private Equity**
Companies can own nearly half of nuclear power plants, including foreign equity partners.
- SMR Development**
Small Modular Reactors lower entry barriers for companies with limited safety culture.

- Fuel fabrication
- Reactor construction and operation
- Radioactive waste management
- Reprocessing and enrichment

Previously, these activities were tightly controlled by state-owned entities due to the **high hazard, proliferation risk, and national security implications**. Now, **one entity could hold multiple licences**, including for the full nuclear fuel cycle. This raises systemic risk because **consolidated control over dangerous materials by profit-seeking actors** increases both the probability and impact of accidents. Independent analysts warn that such operational concentration — especially without stringent safeguards — **heightens the risk of catastrophic failures**.

C. Licensing and Executive Takeover Powers

Under the Bill:

- The Central Government gains sweeping authority over licensing, renewal, cancellation, and, in default, takeover of nuclear facilities.
- A takeover prioritises **"administration of the business, protection of lenders and investors,"** and ensures continuity of operations.

There is **no equivalent requirement to prioritise public safety, environmental cleanup, worker protections, or community concerns**.

This approach reflects a **corporate-centric, executive-driven governance model**, at odds with the precautionary principle needed for ultra-hazardous technologies. Nuclear governance experts emphasise that safety, transparency, and multi-stakeholder oversight must be at the core of any licensing regime — none of which SHANTI guarantees.



CHAPTER 3

Health, livelihood, land, water & ecological risks

Nuclear power impacts extend far beyond reactor fences. The SHANTI Bill deepens these risks through private sector involvement and weakened transparency.

Health Risks

Radiation exposure can cause:

- Cancers (leukaemia, thyroid, breast, lung)
- Genetic mutations
- Reproductive and developmental defects
- Long-term immune and organ damage

International studies (e.g., UNSCEAR, WHO reports) note that **cancer incidence increases with proximity to radiation sources**. Local studies in India, such as community health surveys around nuclear facilities (e.g., Rawatbhata and Kalpakkam), have documented elevated rates of cancer and other illnesses compared to control populations, although official radiation monitoring in India is limited.

Livelihood & Land Impacts

Nuclear plants require large exclusion zones. Radioactive contamination — even at low levels — can render:

- Farmlands unusable due to contamination of soil and water
- Fisheries unsafe due to radionuclide bioaccumulation
- Livestock and crops unsafe due to uptake of radioactive isotopes

SMRs (Small Modular Reactors) are often pitched as “less risky,” but they still produce radioactive waste and require water resources. Their siting near industrial zones or waterways can intensify water stress and ecological damage.

Water and Ecological Damage

Nuclear power is water-intensive.

Thermal discharge raises river and coastal temperatures, affecting aquatic ecosystems. Radioactive water leaks and waste storage risks contamination of groundwater — often the only water source for rural and tribal communities. Environmental impact assessments (EIAs) have historically underestimated long-term ecological damage and cumulative impacts — a critique shared by civil society organisations and environmental scientists.

Dangerous Fissile Materials at Risk

Currently, radioactive substances are under exclusive government control through DAE, NPCIL, and UCIL. Privatisation threatens this critical safeguard.

- Uranium & Plutonium**
Private entities gain access to highly dangerous nuclear materials.
- Spent Fuel**
Disposal and processing fall under profit-driven management.

CHAPTER 4

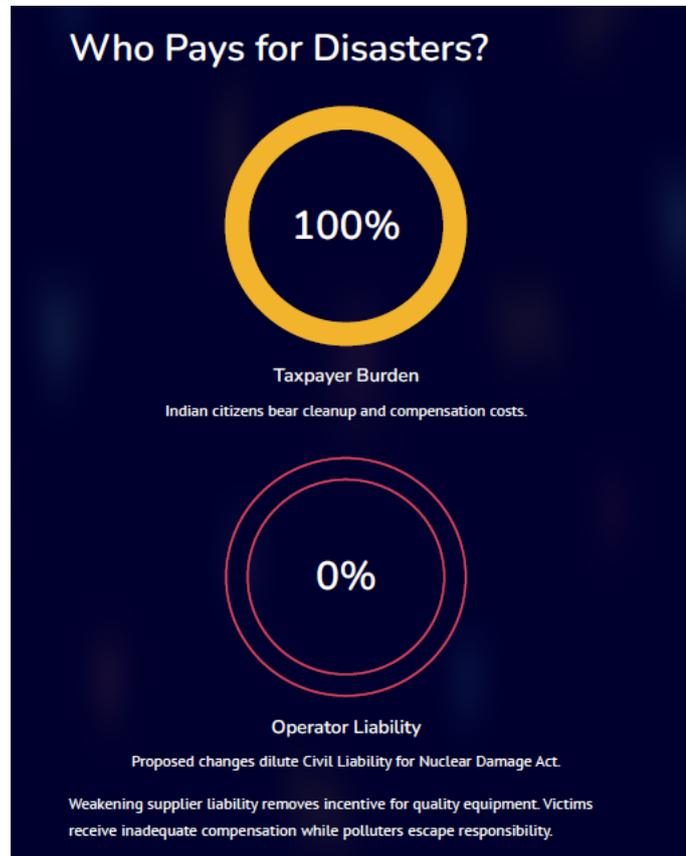
Weak liability, denial of justice & public burden

One of the most dangerous elements of the SHANTI Bill is the **liability regime it creates** or effectively dismantles.

A. Capped Liability

The Bill sets a **liability cap** of 300 million SDR (~US\$460 million; ~₹3,910 crore). This cap:

- Is **lower than the compensation given in the Bhopal disaster** (US\$470 million in 1989) — which itself is regarded by legal scholars as a gross under-assessment.
- Is a **tiny fraction of the real cost** of a major nuclear accident. After Fukushima, cleanup and compensation costs have exceeded **US\$180 billion**, dwarfing the proposed cap by hundreds of times.
- Applies across all reactors; there is no meaningful differentiation for larger installations.



This cap, writes nuclear law analysts, is **arbitrary and dangerous**, because nuclear accidents have long-term health, ecological, and economic costs that unfold over decades — costs that cannot be captured in a few hundred million dollars.

B. Removing Supplier Liability

Under previous law (Civil Liability for Nuclear Damage Act, 2010), operators could seek recourse against equipment suppliers. The SHANTI Bill removes this:

- Suppliers of parts, technology, or design flaws cannot be held financially responsible even if their product caused the accident.
- This shifts **risk and cost onto the public**, while **profits remain private**.

This is an unprecedented departure from accepted legal principles in industrial liability law and increases moral hazard, where suppliers may skimp on standards knowing they are shielded.

C. Government Underwriting of Risk

Section 14 of the Bill makes the **Central Government liable for damages exceeding the operator's capped liability**. This means:

- Taxpayers effectively underwrite catastrophic nuclear risk.
- Operators and suppliers are protected.
- The public pays for cleanup, healthcare costs, resettlement, ecological restoration, and economic losses.

This model institutionalises the **socialisation of risk and privatisation of profit.**

D. Limitations on Claims

The Bill imposes:

- A **three-year limit to file claims**
- A **10-year cut-off for property damage claims**
- A **20-year limit for personal injury**

Radiation-induced illnesses (e.g., cancers) often take decades to manifest. The liability limits therefore **exclude many legitimate victims**, denying justice.



Accident Risk Multiplies

Private entities operate with profit-first culture, creating catastrophic safety risks.

- **Cost-Cutting on Maintenance**
Deferred repairs and cheaper components compromise safety systems.
- **Reduced Qualified Staff**
Financial targets lead to fewer experienced nuclear professionals.
- **Regulatory Pressure**
Private operators may influence AERB to expedite clearances.

CHAPTER 5

Rights of affected communities & democratic resistance

Affected communities have constitutional and human rights. The SHANTI Bill's structure-centralised decision-making, limited public participation, and barriers to legal recourse-violates basic principles of environmental justice.

Rights & Principles

- **Right to life, health and a clean environment** — protected under Article 21 of the Indian Constitution.
- **Right to information and participation** — recognised under environmental law and international norms.
- **Free, prior, and informed consent (FPIC)** — affirmed by the UN Declaration on the Rights of Indigenous Peoples and relevant to tribal and forest communities.

Democratic Options for Resistance

Communities and civil society can:

- Demand meaningful **public hearings** with independent risk assessments.
- File **RTI applications** to access licensing, safety audits, and emergency plans.
- Initiate **Public Interest Litigations** in courts against violations of constitutional rights.
- Build **people's tribunals** and independent monitoring committees.
- Mobilise cross-sector alliances (farmers, workers, feminists, climate activists).



The struggle is not against science- it is against a **corporate-driven, opaque, and risky energy pathway** imposed without consent.

CHAPTER 6

Rebutting government claims on nuclear energy

Claim: Nuclear is “clean and sustainable”

Rebuttal: While nuclear power emits low carbon during operation, the full lifecycle — mining, fuel production, waste storage — incurs environmental burdens and unresolved long-term risks.



Claim: Nuclear will meet India's energy needs

Rebuttal: Nuclear currently provides less than 3% of electricity in India and has historically faced massive delays and cost overruns, undermining projections. Renewables are growing faster at lower cost.

Claim: Safety is assured

Rebuttal: Accidents (e.g., Fukushima, Chernobyl) show that risk cannot be eliminated. Independent safety regulation and community monitoring are essential — not weakened oversight.

Claim: Liability is adequate

Rebuttal: Liability caps and limited claim windows fail to match even historical disaster costs or health impact latency.

CHAPTER 7

Our collective demands

The SHANTI Bill represents a fundamental assault on public safety, democratic accountability, ecological integrity, and justice for present and future generations. We therefore place the following **non-negotiable demands** before the Government of India, Parliament, regulatory authorities, and the wider public.

1. Repeal or Fundamentally Rework the SHANTI Bill

We demand the **immediate repeal of the SHANTI Bill in its present form**

- The Bill was passed without adequate parliamentary scrutiny, expert hearings, or public consultation.
- It centralises power in the executive, weakens accountability, and privileges private investment over public safety.
- Any legislation governing nuclear energy- an ultra-hazardous sector- must be framed through **broad democratic deliberation**, not rushed legislative procedures.

2. No Privatisation of Nuclear Risk or the Nuclear Fuel Cycle

We demand the **restoration of full public and sovereign control over the nuclear sector**, including uranium mining, fuel fabrication, reactor operation, waste management, and reprocessing.

- Nuclear energy is not an ordinary industry; it involves materials and risks that can devastate entire regions and generations.
- Allowing private and foreign corporations to control fissile materials and radioactive substances introduces unacceptable safety, security, and proliferation risks.
- Profit-driven decision-making is incompatible with the precautionary principle required for nuclear operations.

The nuclear fuel cycle must remain:

- Under **strict public ownership**
- Governed by **maximum transparency**
- Accountable to **Parliament and the people**, not shareholders

3. Restore and Strengthen Full Liability — No Caps, No Immunity

We demand a **strong, uncapped liability regime** that ensures those responsible for nuclear accidents fully bear the costs.

This includes:

- **Removal of liability caps** that arbitrarily limit compensation regardless of the scale of disaster
- **Restoration of supplier liability**, so equipment manufacturers, designers, and technology providers are accountable for defects or negligence
- Liability that reflects the **true costs of nuclear disasters**, including long-term health care, environmental remediation, livelihood loss, displacement, and inter-generational harm

Public funds must **never be used to bail out private nuclear operators or suppliers**.

The principle must be clear:

Those who profit from nuclear power must bear its risks and consequences.

4. Guarantee Access to Justice for All Affected Communities

We demand the removal of all legal and procedural barriers that deny victims of nuclear harm their right to justice.

This includes:

- Allowing **affected individuals, communities, civil society organisations, and state governments** to directly file civil and criminal complaints
- Removing restrictive limitation periods that exclude victims of radiation-related illnesses with long latency periods
- Ensuring access to **ordinary courts**, not only specialised or executive-controlled mechanisms

Justice delayed or denied in nuclear cases is **justice permanently lost**. A fair legal framework must recognise the unique, long-term nature of nuclear harm.

5. Establish a Truly Independent Nuclear Safety Regulator

We demand the creation of a **fully independent, autonomous, and transparent nuclear regulatory authority**.

Such a regulator must:

- Be institutionally separate from nuclear power promotion agencies
- Have independent appointments involving Parliament and non-government experts
- Include public health, environmental, labour, and disaster management expertise
- Be accountable through mandatory public disclosures and parliamentary reporting

The regulator must serve **public safety**, not government policy objectives or corporate interests.

6. End Executive Exemptions and Discretionary Powers

We demand the **withdrawal of sweeping executive powers** that allow the Central Government to exempt nuclear facilities from licensing, safety, or liability requirements.

- Vague terms like “insignificant risk” have no place in nuclear law.
- No authority should have the power to waive safeguards in a sector where risks are irreversible.
- All nuclear facilities — civilian or otherwise — must be subject to **clear, uniform, and enforceable safety and liability norms**.

Exceptional powers breed regulatory capture, secrecy, and impunity.

7. Uphold Rights of Affected Communities and Democratic Consent

We demand **free, prior, and informed consent (FPIC)** of all affected communities before any nuclear project is approved.

This includes:

- Genuine public hearings with independent experts
- Full disclosure of risks, emergency plans, and liability provisions
- Respect for the rights of farmers, fisherfolk, workers, women, and indigenous communities
- Protection of the right to protest, dissent, and organise

No energy project that threatens life and land can be imposed through force, fear, or misinformation.

8. Independent Health, Environmental, and Radiation Monitoring

We demand:

- Independent, continuous radiation monitoring by non-governmental institutions
- Long-term public health surveillance in existing and proposed nuclear zones
- Public access to all environmental and health data
- Periodic independent audits of safety systems and emergency preparedness

Communities have the right to know what they are being exposed to — **before, during, and after** nuclear operations.

9. Shift Towards Renewable, Decentralised, and Just Energy Systems

We demand a decisive shift away from nuclear expansion toward **renewable, decentralised, and community-controlled energy systems**.

- Solar, wind, storage, and efficiency solutions are faster to deploy, safer, and more democratic.
- Renewable energy creates more jobs per unit of energy than nuclear power.

- Energy transitions must prioritise **equity, affordability, resilience, and climate justice**, not corporate megaprojects.

India's energy future must be **safe, democratic, and people-centred**, not locked into hazardous technologies with unresolved risks.

10. Democratic Review of India's Nuclear Energy Pathway

Finally, we demand a **national, democratic review** of India's nuclear programme- its costs, risks, benefits, and alternatives.

This review must:

- Be independent of nuclear establishment influence
- Include scientists, economists, health experts, workers, and community representatives
- Assess historical performance, delays, cost overruns, accidents, and near-misses
- Evaluate opportunity costs vis-à-vis renewables and efficiency

India deserves an energy policy shaped by **evidence, ethics, and democracy**, not secrecy and corporate pressure.

For More Details
Friends of the Earth India (FOE India)

 Email: foeindia21@gmail.com

 Website: <https://foeindia.net>