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असाधारण

EXTRAORDINARY

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PART II—Section 3—Sub-section (II)

प्रधिकार से प्रकाशित

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NEW DELHI, FRIDAY, NOVEMBER 11, 2011/KARTIKA 20, 1933

परमाणु ऊर्जा विभाग

अधिसूचना

नई दिल्ली, 11 नवम्बर, 2011

क्र.आ. 2526(अ).—केन्द्रीय सरकार नाभिकीय क्षति के लिए असीम दायित्व अधिनियम, 2010 (2010 का 38) की धारा 1 की उप-धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एतद्वारा यह घोषणा करती है कि उक्त अधिनियम के प्रावधान दिनांक 11 नवम्बर, 2011 से प्रभावी होंगे।

[सं. 4/4/1/2010-ईआर]

विजय भूषण पाठक, संयुक्त सचिव

DEPARTMENT OF ATOMIC ENERGY

NOTIFICATION

New Delhi, the 11th November, 2011

S.O. 2526(E).—In exercise of the powers conferred by sub-section 5 of Section 1 of the Civil Liability for Nuclear Damage Act, 2010 (38 of 2010), the Central Government hereby declares that the provisions of that Act shall come into force on the 11th day of November, 2011.

[No. 4/4/1/2010-ER]

VIJAY BHUSHAN PATELAK, Jr. Secy.

Government of India
DEPARTMENT OF ATOMIC ENERGY

New Delhi, the November, 2011

G.S.R. (E).- In exercise of the powers conferred by section 48 of the Civil Liability for Nuclear Damage Act, 2010 (38 of 2010), the Central Government hereby makes the following rules, namely :-

CHAPTER I
PRELIMINARY

1. Short title and commencement. - (1) These rules may be called the Civil Liability for Nuclear Damage Rules, 2011.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. - (1) In these rules, unless the context otherwise requires, -

(a) "Act" means the Civil Liability for Nuclear Damage Act, 2010 (38 of 2010);

(b) "Form" means a form appended to these rules;

(c) "insurer" means the insurance company with which a nuclear installation involved in a nuclear incident was insured at the time of the occurrence of such incident and includes the person who has provided financial security to cover the operator's liability under the Act;

(d) "legal representative" shall have the same meaning as assigned to it in clause (11) of section 2 of the Code of Civil Procedure, 1908 (5 of 1908);

(e) "claims adjudication authority" means the Claims Commissioner or the Commission having jurisdiction under the Act over the nuclear incident.

(2) Words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

CHAPTER II
INSURANCE AND FINANCIAL SECURITY

3. Insurance policy and financial security. - (1) The operator shall take out an insurance policy or financial security or a combination of both in accordance with section 8 of the Act.

- (2) The financial security referred to in sub-rule (1) shall be irrevocable and shall continue till removal of all spent fuel from the spent fuel storage pool of the nuclear installation after removal thereof from the reactor core.
- (3) Shares or bonds or instruments constituting financial security shall be pledged to the Central Government and remain so pledged till decommissioning of the plant and a security margin of 1:1.33 be maintained during pledge and in the event of any shortfall in security so calculated shall be immediately made good by the operator by providing insurance or additional financial security to the extent of shortfall.
- (4) Nothing in this rule shall prevent a group of operators to enter into a joint arrangement of financial security providing for contribution towards such security in proportion to their individual installed capacity in thermal megawatts.
- (5) The provisions of this rule shall not apply to a nuclear installation owned by the Central Government.

CHAPTER III
REPORT OF NUCLEAR INCIDENT

4. Report of nuclear incident. - (1) The operator shall report immediately the occurrence of a nuclear incident in his nuclear installation or during transportation of nuclear material to -

- (i) the Central Government;
- (ii) the insurer where the nuclear installation is insured under section 8 of the Act; and
- (iii) the Atomic Energy Regulatory Board where such nuclear installation is under its jurisdiction or, in the manner as the Board may, by order, specify in this behalf.

(2) The Central Government shall, on receipt of the report under sub-rule (1) from the operator of a nuclear installation, which is not under the jurisdiction of the Atomic Energy Regulatory Board, make a review of the report and forward its observations and report to the Atomic Energy Regulatory Board.

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- (3) The Atomic Energy Regulatory Board shall review the report received under this rule and notify the nuclear incident in accordance with section 3 of the Act.

5. Report of licensing authority. – (1) The claims adjudication authority shall, as soon as a claim arising out of a nuclear incident notified under section 3 of the Act is filed, issue direction in Form A to the licensing authorities as applicable under sections 14, 16 and 17 of the Atomic Energy Act, 1962 (33 of 1962).

- (2) The licensing authorities to whom a direction under sub-rule (1) is issued, shall within a period of ten days of the receipt of direction, submit to the claims adjudication authority a detailed report in Form B regarding a licence of the operator.

CHAPTER IV ADJUDICATION OF CLAIMS

6. Application for compensation. – (1) An application for claim for compensation for nuclear damage shall be made in Form C by -

- (a) the person who has sustained injury; or
- (b) the owner of the property to which the damage has been caused; or
- (c) the representatives of the deceased; or
- (d) any agent duly authorised by such person or owner or legal representatives.

Provided that where all the legal representatives of the deceased have not joined in any such application for compensation, the application shall be made on behalf of or for the benefit of all the legal representatives of the deceased and the legal heirs who have not so joined shall be impleaded as respondents to the application.

- (2) Every application for compensation for nuclear damage shall be accompanied by as many copies equal to the number of the respondents, as may be required, to the claims adjudication authority having jurisdiction to adjudicate upon it.

- (3) There shall be appended to every such application, -

- (a) an affidavit of the applicant to the effect that the statement of facts contained in the application is true to the best of his knowledge or belief and further if the applicant has earlier preferred any claim application with regard to the same cause of action, and if so, what was the result thereof;

- (b) all the documents and affidavits for the proof thereof, and affidavits in support of all facts on which the applicant relies in the context of his claim, entered in a list of documents and affidavits prepared in that behalf.

Provided that the claims adjudication authority may not allow the applicant to rely in support of his claim, on any document or affidavit not filed with the application, unless it is satisfied that for good and sufficient cause, he was prevented from filing such document or affidavit earlier;

(c) the proof of identity of the applicant to the satisfaction of the claims adjudication authority, unless exempted from doing so for reasons to be recorded in writing by it;

(d) passport size photograph of the applicant duly attested by the advocate;

(e) medical certificates of injuries, or the effect thereof.

(4) The claims adjudication authority may also require the applicant to furnish the following information to satisfy itself that spurious or a collusive claim has not been preferred, namely:-

(a) full particulars of all earlier nuclear incidents in which the applicant or the deceased person, as the case may be, has been involved;

(b) the amount of compensation paid in such earlier nuclear incidents, name and particulars of the victim, and of the person who paid the damages; and

(c) relation of persons mentioned in clause (b), if any with the applicant.

(5) The claims adjudication authority may return any application, which is found defective on scrutiny, to the applicant for re-submission after removing defects within a specified period not exceeding fifteen days.

(6) The claims adjudication authority shall register every application for compensation separately in appropriate register maintained for this purpose.

7. Notice to Opposite Parties.- The claims adjudication authority shall on receipt of an application under rule 6 unless it has been found defective under sub-rule (5) of that rule, send to the opposite parties, a notice of the date on which it will hear the application and call them upon to file on that date a written statement.

8. Supply of copies of documents. -The claims adjudication authority shall along with the notice of hearing furnish the opposite parties, free of cost, a copy of each of the following, namely:-

(i) the application for compensation;

(ii) the documents and affidavits filed by the applicant under rule 6; and

(iii) all the documents produced before it on which the applicant is relying;

Provided that if the claims adjudication authority is satisfied that any such document is voluminous, it shall instead of furnishing the opposite parties a copy

thereof, make an endorsement on the bottom of the notice that they only be allowed to inspect it either personally or through their authorised person.

9. Examination of applicant. - The claims adjudication authority may, on receipt of an application under rule 6, examine the applicant on oath, and the substance of such examination, if any, shall be recorded in writing.

10. Appearance and examination of the parties. - (1) The opposite party shall at or before the first hearing, or within such further time as the claims adjudication authority may allow, file a written statement in reply to the claim raised in the application, and any such written statement shall form part of the record.

(2) The opposite party shall file along with his written statement, all the documents and affidavits for the proof thereof and also affidavits in support of all facts on which he relies in the context of his defence, duly entered in a properly prepared list of documents and affidavits and shall give to the applicant copies of the written statement, documents and affidavits.

(3) The claims adjudication authority shall not allow the opposite party to rely in support of his defence on any document or affidavit not filed along with the written statement unless it is satisfied that, for good and sufficient cause, he was prevented from filing such document or affidavit earlier.

(4) The claims adjudication authority may, if the opposite party contests the claim or if no written statement has been filed, it shall, proceed to examine him upon the claim and shall reduce the substance of the examination to writing.

(5) The claims adjudication authority may require the opposite parties to furnish the following information, namely:-

(a) full particulars of all earlier nuclear incidents in which such party may have been involved, and in which the claims have been awarded in full or in part;

(b) the amount of compensation paid in such earlier accidents, the name and addresses of the victims and of the persons who paid the damages; and

(c) relation of persons mentioned in clause (b), if any, with the opposite party.

11. Summary procedure by claims adjudication authority. - The claims adjudication authority, in a case pending before it, may adopt the procedure relating to summary trial of the cases as laid down in Order XXXVII of the Code of Civil Procedure, 1908 (5 of 1908) while trying a claim for compensation.

12. Power to direct for medical examination. - The claims adjudication authority may, if it considers necessary, direct, in Form D, any medical officer or any board of medical

officers in a Government or Municipal hospital to examine the injured person and issue certificate indicating the degree and extent of the disability, if any, suffered as a result of the nuclear incident, and it shall be the duty of such medical officer or board to submit the report within a period of seven days of receipt of direction.

13. Framing of issues.- The claims adjudication authority shall, after considering the application, the written statements, the examination of the parties, if any, and the result of any local inspection, if made, proceed to frame and record the issues at the first hearing of the application upon which the decision of the case appears to it to depend.

14. Determination of issues. - (1) The claims adjudication authority shall proceed to decide the application after framing an issue if it is triable and allow both the parties to cross examine each other and the deponents whose affidavits have been filed by the parties, on such affidavits filed with the application and the written statement and in doing so, it shall follow provisions of Order XIX of the Code of Civil Procedure, 1908 (5 of 1908).

(2) The claims adjudication authority may, if it appears to it to be necessary for just decision of the case, allow the parties to adduce such further evidence as each of them may desire to produce.

Provided that no such further opportunity shall be permitted unless it is shown that the affidavit of the witness sought to be examined at such stage could not be obtained and filed earlier, despite exercise of due diligence by, or that such evidence was not within the knowledge of the party relying on it.

15. Expenses for attendance of witnesses. - The claims adjudication authority shall direct the operator to bear the expenses of the witnesses summoned.

16. Method of recording evidence.- The claims adjudication authority shall, as examination of witnesses proceeds, make brief memorandum of the substance of the evidence of each witness and such memorandum shall be written and signed by the claims adjudication authority and shall form part of the evidence:

Provided that evidence of any expert witness shall be taken down word by word.

17. Obtaining of supplementary information and documents.- The claims adjudication authority shall obtain whatever supplementary information and documents, which may be found necessary from the medical and other authorities and proceed to adjudicate upon the claim whether the parties who were given notice appear or not on the appointed date.

18. Award of compensation. - (1) The claims adjudication authority, in passing orders, shall record concisely in a judgment, the findings on each of the issues framed and the reasons for such findings and make an award specifying the amount of compensation to

be paid by the opposite party or parties and also the person or persons to whom compensation shall be paid.

- (2) The procedure of adjudicating the liability and award of compensation may be set apart from the procedure of disbursement of compensation to the legal heirs in a case of death, and where the claims adjudication authority feels that the actual payment to the claimant is likely to take some time because of the identification and determination of legal heirs of the deceased, the claims adjudication authority may call for the amount of compensation awarded to be deposited with it, and, then, proceed with the identification of the legal heirs for disbursing payment of compensation to each of the legal heirs equitably.

19. Securing interest of claimants. - (1) Where any lump-sum amount deposited with the claims adjudication authority is payable to a woman, such sum may be invested, applied or otherwise dealt with for the benefit of the woman in such manner as the claims adjudication authority may direct to be paid to any dependent or the heirs of such woman whom the claims adjudication authority thinks best fitted to provide for the welfare of the woman or the heirs of such woman.

- (2) Where any lump-sum amount deposited with the claims adjudication authority is payable to a person under legal disability, such sum may be invested, applied or otherwise dealt with for the benefit of the person under legal disability in such manner as the claims adjudication authority may direct to be paid to any dependent or the heirs of such person under legal disability whom the claims adjudication authority thinks best fitted to provide for the welfare of the person under legal disability or the heirs of such person.

- (3) Where the claims adjudication authority, on an application made to it in this behalf or otherwise, is satisfied that on account of neglect of the children on the part of the parents, or on account of the variation of the circumstances of any dependent, or for any other sufficient cause, an order of the claims adjudication authority as to the distribution of any sum paid as compensation or as to the manner in which any sum payable to any such dependent is to be invested, applied or otherwise dealt with, ought to be varied, the claims adjudication authority may make such further orders for the variation of the former order as it thinks just in the circumstances of the case.

- (4) The claims adjudication authority shall, in the case of minor, order that amount of compensation awarded to such minor be invested in fixed deposits till such minor attains majority:

Provided that the expenses incurred by the guardian or the next friend may be allowed to be withdrawn by such guardian or the next friend from such amount before it is deposited.

- (5) The claims adjudication authority shall, in the case of illiterate claimants, order that the amount of compensation awarded be invested in fixed deposits for a minimum period of three years, but if any amount is required for effecting purchase of any movable or immovable property for improving the income of the claimant, the claims adjudication authority may consider such a request after being satisfied that the amount would be actually spent for the said purpose.
 - (6) The claims adjudication authority shall, in the case of semi-literate person follow the procedure specified in sub-rule (4) for the deposit of award amounts unless it is satisfied, for reasons to be recorded in writing that the whole or part of the amount is required for the expansion of any existing business or for the purchase of some property referred to in that sub-rule in which case the claims adjudication authority shall ensure that the amount is invested for the purpose for which it is prayed for and paid.
 - (7) The claims adjudication authority may in the case of literate persons follow the procedure specified in sub-rule (4) and (5) for deposit of awarded amount if having regard to the age, fiscal background and state of society to which the claimant belongs and such other consideration, the claims adjudication authority in the larger interest of the claimant and with a view to ensuring the safety of the compensation awarded, thinks it necessary to order.
 - (8) The claims adjudication authority, in case of personal injury, if satisfied that further treatment is necessary for which reasons to be recorded in writing, may permit the withdrawal of such amount as is necessary for the expenses of such treatment.
 - (9) The claims adjudication authority shall, in the matter of investment of money, have regard to a maximum return by way of periodical income to the claimant and make it deposited with public sector undertakings of the State or Central Government which offers higher rate of interest.
 - (10) The claims adjudication authority shall, in investing money, direct that the interest on the deposits be paid directly to the claimant or the guardian of the minor claimant by the institutions holding the deposits under intimation to the claims adjudication authority.
20. Persons Associated with adjudication of claims.- (1) The claims adjudication authority may, for the purpose of deciding any claim filed before it, choose one or more persons having expertise in the nuclear field or such other person possessing special knowledge of any matter relevant to the claim under inquiry to assist in holding such inquiry and adjudicating the claim.
- (2) A person associated with the claims adjudication authority under sub-rule (1) shall be paid such remuneration as the claims adjudication authority may, by order, fix.

21 Appearance of legal practitioner.- The claims adjudication authority may, in its discretion, allow any party to appear before it through a legal practitioner.

22. Adjournment of hearing.- If the claims adjudication authority finds that an application cannot be disposed of at one hearing, it shall record the reasons which necessitate the adjournment and also inform the parties present on the date of adjourned hearing.

23. Receipt of compensation.- The claims adjudication authority shall, obtain a receipt from the claimant in duplicate, one copy to be issued to the person who makes the payment and the other to be retained on the record while handing over the payment.

CHAPTER V
RIGHT OF RECOURSE

24. Right of recourse. - (1) A contract referred to in clause (a) of section 17 of the Act shall include a provision for right of recourse for not less than the extent of the operator's liability under sub-section (2) of section 6 of the Act or the value of the contract itself, whichever is less.

(2) The provision for right of recourse referred to in sub-rule (1) shall be for the duration of initial license issued under the Atomic Energy (Radiation Protection) Rules, 2004 or the product liability period, whichever is longer.

Explanation 1. - For the purposes of this rule, the expressions,-

(a) "product liability period" means the period for which the supplier has undertaken liability for patent or latent defects or sub-standard services under a contract;

(b) "supplier" shall include a person who-

- (i) manufactures and supplies, either directly or through an agent, a system, equipment or component or builds a structure on the basis of functional specification; or
- (ii) provides build to print or detailed design specifications to a vendor for manufacturing a system, equipment or component or building a structure and is responsible to the operator for design and quality assurance; or
- (iii) provides quality assurance or design services.

Explanation 2. - For the removal of doubts it is clarified that an operator's claim under this rule shall in no case exceed the actual amount of compensation paid by him up to the date of filing such claim.

CHAPTER VI
MISCELLANEOUS

25. Registers.- (1) The claims adjudication authority shall maintain the following registers namely:-

- (a) Register of applications for claim for compensation for nuclear damage;
- (b) Register for notices to be issued to the parties by the claims adjudication authority;
- (c) Register for applications for interim award;
- (d) Register for deposit of payments in the claims adjudication authority; and
- (e) Diary of day to day proceedings to be called as 'A Diary'.

(2) Applications for compensation on the ground of death, permanent disability, injury and damage to property shall be entered in a separate register to be called the "Register for applications for compensation on death, disability, etc".

26. Custody and preservation of records.- The documents and records relating to the applications for compensation cases shall be preserved in the record room for a period of thirty five years from the date of occurrence of the nuclear incident.

27. Staff.- The claims adjudication authority shall be provided with staff similar to that provided to the court of an Additional District Judge.

28. Conditions of service and salary and allowances of officers and other employees of claims adjudication authority.- (1) The chairperson of the Commission appointed under sub section (2) of section 20 of the Act shall be entitled to the pay and allowances in the scale of pay equivalent to that of a Judge of a High Court during his service as such chairperson of the Commission.

(2) The Members of the Commission appointed under sub-section (2) of section 20 of the Act shall be entitled to the pay and allowances in the scale of pay equivalent to that of the Additional Secretary to the Government of India during his service as such Member of the Commission.

(3) The Claims Commissioner appointed under sub section (2) of section 9 of the Act shall be entitled to the pay and allowances in the scale of pay equivalent to that of the Additional Secretary to the Government of India.

(4) The other officers and employees shall be entitled to pay and allowances in the scale of pay equivalent to that of the officers and employees of the Central Government holding equivalent posts in their respective cadres during their service under the claims adjudication authority.

- (5) The other conditions of service of the officers and employees of the claims adjudication authority in the matters of age of retirement, post-retirement benefits and entitlements and disciplinary matters, shall be the same as are for the time being applicable to the officers and employees of the Central Government holding equivalent posts.
- (6) The officers and other employees of the claims adjudication authority shall be entitled to such other facilities, allowances or benefits as may be specified by the Central Government from time to time.

29. Repatriation or transfer of officers and other employees on dissolution of Commission. - (1) On dissolution of the Commission by the Central Government under section 38 of the Act, the officers and other employees who are on deputation to the Commission from any authority or office of the Central Government or a State Government, the deputation of such officers and other employees shall be deemed to be terminated immediately on such dissolution and they shall be repatriated to their parent organisation.

- (2) The officers and other employees other than those referred to in sub-rule (1) may be transferred by the Central Government to any other authority or office of the Central Government, as the Central Government may, by order, decide.

30. Annual Report. -The claims adjudication authority shall prepare and submit an annual report in Form E to the Central Government on the duties carried out by it at the end of each financial year giving full account of its activities during that financial year containing details of its accounts, the claims pending before it, the claims disposed of during the year under report and the claims pending at the end of such year.

FORM A
[See rule 5(1)]

BEFORE THE CLAIMS COMMISSIONER/NUCLEAR DAMAGE CLAIMS
COMMISSION

(Presided by: _____)

Case No: _____

TITLE: _____ Vs _____

Subject: (i) verification of Registration Certificate of Licence No. _____
in respect of _____ valid up to-
_____ issued by Licensing Authority _____

To,
Licensing Authority

ORDER

Whereas the claim application mentioned above seeking payment of compensation has been preferred before this Claims Commissioner / Nuclear Damage Claims Commission in connection with a nuclear incident allegedly involving the nuclear installation, particulars of which are captioned above;

And whereas, the nuclear installation is stated to have been licensed by office under your control/the licence aforesaid is stated to have been issued by office under your control,

And whereas, the records relating to the said licence are required to be maintained by said officer under your control under the Atomic Energy Act, 1962 (33 of 1962);

And whereas, requisite details relating to the documents aforesaid are required by this Claims Commissioner / Nuclear Damage Claims Commission for the purposes of Inquiry under the provisions of section 16 of the Civil Liability for Nuclear Damage Act, 2010 (38 of 2010) and which information you are bound to furnish.

Now, therefore, you are hereby directed to furnish to this Claims Commissioner / Nuclear Damage Claims Commission full particulars regarding the licence aforesaid, with copies of documents in support duly attested under your personal signatures and bearing your official Seal within ten days of the receipt of this communication.

Given under my hand and seal,
this _____ day of

CLAIMS COMMISSIONER / CHAIRMAN, NUCLEAR DAMAGE CLAIMS
COMMISSION

FORM B
[See rule 5 (2)]
Report of Licensing Authority

To

Sir,

This is with reference to the order/application dated _____ in Case No. _____
Title _____

The requisite information is given below:-

1. Particulars of the operator: Government / other

(a). If Government, name of the concerned Department / Ministry:

(b). If other, particulars thereof -

(i) Registration No:

(ii) Full name and address of the operator of the nuclear installation:

(iii) Particulars of insurance.

2. Particulars of Licence:

a) Licence No.:

b) Date of issue/expiry:

c) Name and address of license holder:

d) Particulars of issuing Authority:

3. Particulars of financial security

(Licensing Authority)

Verified that the contents of above report are correct as per records of this office.

Date:
Place :

Seal of
Licensing
Authority

(Licensing Authority)

FORM C

[See rule 6(1)]

Application for grant of compensation under the Civil Liability for Nuclear Damage Act, 2010 (38 of 2010)

BEFORE THE CLAIMS COMMISSIONER/NUCLEAR DAMAGE CLAIMS COMMISSION

(Presided by _____)
_____ Applicant

Vs.

Photograph
of Applicant

_____ Respondents

Sir,

The undersigned makes this application for grant of compensation as per the provisions of the Civil Liability for Nuclear Damage Act, 2010 on the basis of the following facts and information:-

1. Name and Father's name of the person injured/dead :
(Husband's name in the case of married woman and widow):
2. Full address of the person injured/dead
3. Age of the person injured/dead
4. Occupation of the person injured/dead:
5. Name and address of the employer of the injured/dead:
6. Monthly income of the person injured/dead:
7. Does the person in respect of whom compensation is claimed pay income tax? If so, state the amount of the income tax (to be supported by documents):
8. Brief particulars (Place and date) of the nuclear incident and reference of notification by Atomic Energy Regulatory Board :
9. Name and address of the Medical Officer/
Practitioner

10. Period of treatment and expenditure, if any :
incurred
11. Name and address of the operator of the nuclear installation:
12. Has any claim been lodged with the operator/ :
Insurer if so, with what result
13. Name and address of the applicant:
14. Relationship with the deceased/injured:
15. Title of the property of the deceased/injured:
16. Amount of compensation claimed and basis thereof:
17. Whether affidavit of the applicant as per rule is annexed:
(give details)
18. Whether documents mentioned in rule 6 are being
annexed duly Indexed (give details):
19. Any other information that may be necessary and helpful
in disposal of the case:

(To be filled if prayer is made for the interim award)

20. Amount of compensation claimed as interim award:
21. Reasons for claim of interim award:
22. Prayer

Name and signature of applicant

Verification

Verified at _____ this _____ day of _____ 20____ that
the contents of the above application are true and correct to my knowledge and belief.

Name and signature of applicant

FORM D

Direction for Medical Examination
(See rule 12)

BEFORE THE CLAIMS COMMISSIONER/NUCLEAR DAMAGE CLAIMS
COMMISSION

Claim Application No. _____

TITLE _____ Vs. _____

Photograph
of
Claimant

To,

ORDER

Whereas the claim application above mentioned seeking payment of compensation has been preferred before this Claims Commissioner / Nuclear Damage Claims Commission in connection with a nuclear incident, and the claimant _____ S/o, D/o, W/o _____

Aged _____ r/o _____

whose photograph bearing his specimen signature/thumb impression is affixed above, is alleged to have suffered injuries as a result of the said incident, which are stated to have been recorded in Medico-legal Certificate No. _____ dated _____ issued by _____ (name of hospital), _____;

And whereas for the purpose of inquiry into the claim application, this Claims Commissioner / Nuclear Damage Claims Commission considers it necessary to ascertain the degree and extent of disability, if any suffered as a result of the said nuclear incident by the said claimant;

Now, therefore, in exercise of powers vested in this Claims Commissioner / Nuclear Damage Claims Commission, the undersigned directs you to get the said claimant examined by a Medical Officer/Board of Medical Officers in your Hospital and submit report on above aspects to this Claims Commissioner / Nuclear Damage Claims Commission within seven days of the receipt of this direction.

Given under my name and seal of this Claims Commissioner / Nuclear Damage Claims Commission, this _____ day of _____

CLAIMS COMMISSIONER/NUCLEAR DAMAGE CLAIMS COMMISSION

FORM E
(See rule 30)

**ANNUAL REPORT OF THE CLAIMS COMMISSIONER/ NUCLEAR DAMAGE
CLAIMS COMMISSION**

- (1) A statement of the duties carried out during the year to which the annual report pertains.
- (2) A statement of claims pending at the beginning of the year to which the annual report pertains -
 - (i) death cases and amount involved
 - (ii) injury cases and amount involved
 - (iii) damage to property cases and amount involved
- (3) A statement of claims filed during the year to which the annual report pertains-
 - (i) death cases and amount involved
 - (ii) injury cases and amount involved
 - (iii) damage to property cases and amount involved
- (4) A statement of claims disposed of during the year to which the annual report pertains -
 - (i) death cases and amount involved
 - (ii) injury cases and amount involved
 - (iii) damage to property cases and amount involved
- (5) A statement of claims pending at the end of the year to which the annual report pertains -
 - (i) death cases and amount involved
 - (ii) injury cases and amount involved
 - (iii) damage to property cases and amount involved
- (6) A statement of accounts for the year to which the annual report pertains.
- (7) Any other information as the claims adjudicating authority deems fit.

[F. No 4/4/1/2010-ER]

(V. B. Pathak)
Joint Secretary to the Government of India