

India's Position on Nuclear Non-Proliferation Treaty

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ABSTRACT

The Paper is analyzing India's Position vis-à-vis other countries on Nuclear Non-Proliferation Treaty (NPT) which on and off become the hot debate and grave concern at the international scenario among the nuclear countries. Whenever, India has been asked to sign NPT, it as usual, states that till it is of discriminatory nature India would abstain from signing the agreement. However, India outside the NPT agreement remained a steadfast and accepted the basic principles of the treaty as any other member country of the NPT treaty. The paper also brings into light how India is different from the North Korea and Iran as far as the Nuclear program is concerned and how it is maintaining the international standards and principles while dealing with the countries that violated the spirit of the NPT agreement despite being its members.

Keywords: India, nuclear non-proliferation, nuclear State, NPT, North Korea, Iran

Introduction

India's position on Nuclear Non-Proliferation Treaty (NPT) is clear that it hampers their nuclear program and it seems to India that the treaty is in favor of the first five signatory countries of the NPT- USA, Soviet Russia, Britain, France and China.¹ However, India has supported the nuclear elimination process since 1954 and proposed an end to nuclear testing. In 1982 India proposed a ban on the fissile materials for production of nuclear weapons. In 1988, India proposed a comprehensive action plan for a nuclear free world within a specific time-frame. The five signatory countries of the NPT pressurized India and non-nuclear countries to sign the treaty which they did not, because India highlighted that the NPT only legalized the nuclear weapons of US, Russia, UK, France and China and has not addressed the central aim universal and comprehensive non-proliferation. In this context, in 1974, India carried out underground nuclear tests which it termed as Peaceful Nuclear Explosion (PNE) in Rajasthan. In 1995, once again India highlighted the treaty has been extended indefinite which legitimized the continued possession by nuclear weapon states of stockpiles that can destroy the world many thousands of times over. It does so without any compulsory pledge from these countries to struggle for the goal which India and others share that is the complete and total elimination of nuclear weapons. Since freedom, the pursuit of nuclear disarmament has been an important aim of India's foreign policy. India believes that the survival of nuclear weapons causes a threat to global peace and security. India has always been highlighted that such a treaty should be comprehensive and brings an end to the qualitative development of nuclear weapons. By realizing the adamant nature of India and other non-signatory countries vis-a-vis NPT treaty, USA along with other four nuclear countries decided to launch Comprehensive Test Ban Treaty (CTBT) in 1996 which obligates to all the countries to eliminate nuclear arsenals in all form.² By adopting the CTBT, USA wanted to stop India-Pakistan from pursuing their nuclear programs but the efforts failed when both these countries tested nuclear weapons in May 1998.³ India did so because it had a view that CTBT should denote the first perfect and permanent step in the process of nuclear disarmament. Hence, CTBT must consider a commitment to gaining elimination of all nuclear weapons in a time-bound context. India remains committed to pursuing international nuclear disarmament with a view to creating a nuclear weapon free world and a non-violent world order. India supported the idea behind the CTBT but also wanted to ensure that the CTBT did not legitimize existing nuclear stockpiles as the NPT does. India's basic concern is that it does not want a —Nuclear Test Explosion Ban Treaty which would only permit the non-stop expansion and modification of present nuclear stockpiles through sophisticated laboratory systems but a real comprehensive test ban treaty without any drawbacks. India highlights and intends clearly include a time-bound outline for total nuclear disarmament.⁴ India's position has been that if these countries (US, Russia, UK, France and China) are storing nuclear weapons, how they can prevent other countries that have their own security concerns from having such weapons.⁵ The first Chinese nuclear test, coming two years after India's defeat in the 1962 Sino-Indian conflict, gave fillip to the Indian nuclear weapons program that first demonstrated its capacity in 1974. China began to systematically target India with nuclear weapons after the latter's first nuclear test and in the late 1980s transferred a nuclear weapon design and fissile material to Pakistan for at least containing India. New Delhi responded to the Chinese challenge with additional

¹Siddharth Srivastava, — *China Warms to Indo- U.S. Nuclear Deal*, (ed.) Rahul Bhonsle et al, *Indo-U.S. Civil Nuclear Deal*, Atlantic , New Delhi, 2007, pp. 212-215.

²K.R.Gupta and Vatsala —*Foreign Policy of India* Atlantic, New Delhi, 2009, pp.195-198.

³ Ibid.p.238.

⁴ Ibid. pp.195-198.

⁵V.T.Patil and Nalini Kant Jha —*India in a Turbulent World: Perspectives in Foreign and Security Policies* South Asian, New Delhi, 2003, pp. 287-288.

nuclear tests in 1998, declared itself to be a nuclear weapon state, and began to overtly develop its nuclear deterrent since—aimed at both China and Pakistan. India today is believed to possess an arsenal of some 100 nuclear weapons, though this figure is highly uncertain. The country is thought to have produced close to 600 kilograms of weapons grade plutonium, though it is unclear whether all this material has been machined into warheads. India can produce extremely large quantities of weapons grade plutonium, should it chose to use its power reactors currently outside of safeguards for this purpose. To date, however, there is no evidence that India has embarked on any crash program to enlarge its nuclear arsenal, despite its having the technical capacity to do so. If India persists in producing about 56 nuclear weapons annually (as it is believed to have done since 1998), the India nuclear deterrent would consist of some less than 200 nuclear weapons by 2025—assuming the public assessments of its current inventory are correct. These weapons will be deployed aboard primarily mobile, solid fueled and ballistic missiles of up to intermediate range, though these will be supplemented by a limited number of legacy gravity weapons and a small but growing number of sea launched ballistic missiles. The heart of India's current nuclear modernization program, which is centered on developing and inducting mobile, solid fueled intermediate range ballistic missiles, deploying ballistic missile submarines, developing a ballistic missile defense system, building weapon storage and integration sites, and completing its command and control network, is aimed principally at restoring its deterrence capability vis-à-vis China. The threats emerging from Pakistan are significant, but Indian policy makers judge that their current deterrent against Islamabad as generally adequate. The deterrence gap versus China, however, is considerable and it will not be bridged until India acquires the capacity to range the Chinese heartland with missiles of adequate reach. Even when the effort to reach this goal is completed—an endeavor that will continue well beyond 2025—it is likely that New Delhi will persist with its currently relaxed nuclear posture so long as current trends in Sino-Indian and Indo-Pakistani relations persist. This posture is predicated on the requirement of a —minimuml deterrent and a strict —no first use policy which is likely to subsist durably because of India's general conventional military superiority over Pakistan and it's still substantial, though decaying, operational military superiority over China along their disputed border. As long as these conditions obtain, there is little incentive for India to violate its —no first use policy, which is oriented fundamentally towards deterring nuclear attack or threats of attack emerging from Pakistan and China.⁶

NPT as a Concept

The NPT stands for global nuclear non-proliferation system. The treaty is an agreement to stop the spread of nuclear weapons beyond the five nuclear weapon states- US, Russia, UK, France and China. The treaty opened for signature in 1968 and came into force on 5th March 1970. The treaty has ambitious goals for both vertical and horizontal proliferation.⁷ The quality of the NPT is holding Review Conferences in order to see the progress and obedience in the light of nuclear non-proliferation of nuclear weapons for the sake of peace and security in the world. The total Review conferences of the NPT since 1975 up to 2010 has been recorded eight Review Conferences .These Review Conferences happening at New York every after 5 years, serve to check submission with the NPT and elaborated steps to improve its implementation. But the Review Conferences adopt final documents by consensus.⁸ The concern of the NPT is non-signature of states in general but the three states-India, Israel and Pakistan in particular.

The former head of the IAEA Mohamed ElBaradei accepted that the NPT erred in allowing non-nuclear states to build uranium enrichment and plutonium production plants. He highlighted that it has to be changed the rules. Plugging the loophole will require deft diplomacy to establish new bright line. Iran is currently testing this line. The article IV of the NPT allow to all signatories of NPT to fully exploit the benefits of civilian nuclear technologies. In the 1950's US President Eisenhower launched Atoms for Peace program offering states access to civilian nuclear reactors and technologies' in return for a commitment to forgo nuclear weapons. Eisenhower's sale was later codified in the 1970 NPT which prohibits nuclear weapons states from transforming nuclear weapons for associated technology to non-nuclear states and obligates them to provide technologies for civilian nuclear activities. Non-nuclear states agreed not seek weapons and to accept what were called safeguards on their civilian nuclear materials. But these safeguards do not guard or secure nuclear materials or plants. Instead IAEA officials serve as accountants for these nuclear reactors to alert other nations if nuclear material is lost or stolen. The NPT has served as the foundation stone of an arms control and non-proliferation regime that has grown. Yet the loophole remain, Article IV of the NPT guarantees the inalienable right of all the parties to the treaty to develop research production and use of nuclear energy for peaceful purposes. Conceived as an effective means of preventing proliferation this constraint has instead left an escape clause that allows nations to legally build the infrastructure for a nuclear weapons programme before withdrawing from the NPT and going to make nuclear bombs and declare themselves nuclear weapons states. To amend the NPT will likely prove too difficult since that would require action by all 188 member states. But the need is to orchestrate a consensus around the proposition that there will be no new national enrichment or reprocessing. Third, No nuclear weapons states-should declare unambiguously, no more. Successful implementation of both _no loose nuclear weapons' and _no new emerging nuclear weapons' will mean no new nuclear states. The majority of nations have signed NPT that declares that no more, stopping North Korea from breaking and entering into nuclear club must become a top priority.

The recognition of India as _a responsible nuclear weapons state' status generally will depend on the point to which India becomes successfully included into key institutions of the global non-proliferation system. Nevertheless, there remain significant institutional and political obstacles. Among these are the absences of a space for India within the NPT as it today stands and the continued struggle from a host of countries particularly China to the recognition of India as a genuine nuclear weapons state outside the NPT.⁹ China and India admits that the NPT system has advanced global non-proliferation goals through the US as a security provider. The high costs of nuclear weapons programs also contributed to reducing the motivations for

⁶See China, India, And Pakistan—Growing Nuclear Capabilities With No End in Sight Carnegie Endowment for International Peace.

⁷Michael T. Snarr & D. Neil Snarr —*Introducing global issues* Viva Books ,New Delhi, 2007, p.26.

⁸CNS Special Report June, 17, 2010, James Martin Centre for Non-proliferation Studies Monterey Institute of International Studies ,New York 2010. www.iaea.org/publication/magazine/bulletin I 10403500308.Pdf.

⁹Kate Sullivan —*Is India a Responsible Nuclear Power* March 2014, pp.1-2. Online edition.

proliferation¹⁰. India is now willing to join the NPT as a nuclear weapon state. US has not yet recognized India as a nuclear weapon state because the 1968 Nuclear Non-Proliferation Treaty (NPT) defines a nuclear weapons state as —one which has manufacture and exploded a nuclear weapon or other nuclear explosive device prior to that date. India does not meet this definition and US does not seek to amend the Treaty.¹¹

Accordingly the 1998 development was not only a token of re-demarcation of India's political and nuclear diplomacy but it also brought India into international stage.¹² The 1995 indefinite extension of the NPT and the implementation of the CTBT compelled India to use its nuclear weapons option in 1998. In the wake of attacks on US world trade centre and the pentagon made US see some similarity with India which had been facing such attacks through most of the preceding decade. After few months of 9/11 attack India faced a series of terrorists' attacks to its Parliament. Accordingly US started to realize India's security concerns and the logic behind its nuclear tests. US began to recognize India's position to refuse to sign CTBT¹³. Accordingly, it was this understanding between India and US which finally reached to 123 agreement where India also promised to obey a sea of commitments like India has pledged a voluntary unilateral pause on nuclear tests, not hinder CTBT for implementation, join the fissile material cut off treaty, no transfer of nuclear technology from India and India has pledged itself to a no-first- use policy.¹⁴

INDIA'S POSITION ON NPT

India is steadfast and consistent to nuclear non-proliferation system and the goal of complete elimination of the nuclear weapons on a non-discriminatory base in a host of ways. India has agreed during the joint statement of 18 July 2005 of 123 agreements that she will not transfer nuclear technology and would support nuclear non-proliferation internationally.¹⁵ The US former President George W. Bush while sealing the 123 agreement revealed that —the agreement will help to keep America safe by paving the way for India to join the global efforts to stop the spread of nuclear weapons.¹⁶ The Indo-US nuclear Deal or 123 agreement gave recognition to India as 'a responsible nuclear state'. India has agreed in the India-US joint statement of 18 July 2005 that it would not transfer nuclear technology and would support international efforts to limit their spread.¹⁷ US signed 123 agreements with India in order to check the more spread of nuclear proliferation and will help close what is widely recognized as the most significant loophole in the NPT regime – a loophole that has clearly been exploited by countries such as North Korea and Iran could be manipulated by others in the future.¹⁸ The July 18,2005 Joint Statement of India and United States recognized India as a state with advanced nuclear technology enjoying the same advantages and benefits as other states with advanced nuclear technology like US. The July Joint Statement did not refer to India as Nuclear Weapons state because that has a particular connotation in the NPT but it explicitly accepted the existence of India's military nuclear facilities. It also meant that India would not attract full-scope safeguards such as those applied to Non-Nuclear weapon state that are signatories to the NPT and there would be no curbs on continuation of India's nuclear weapon related activities. In these important respects, India would be very much at par with the five nuclear Weapon States who are signatories to the NPT.¹⁹

India's important dimension in global system is non-threatening position; practical role in promoting peace and development which largely has been appreciated by the world.²⁰ One of the essential aims of the 123 agreement is to bring India in the international nuclear non-proliferation system by shouldering with it both the rights and responsibilities broadly equivalent to those of the Nuclear Non-Proliferation (NPT) member states without requiring India to sign the treaty.²¹ In the same way, 123 agreement and Nuclear Suppliers Group exemption compel India to carry out to the same non-proliferation measures as those expected from other nuclear armed NPT member states.²² This indicates India cooperating more closely with and finally joining the four major non-proliferation groups-the Nuclear Supplier Group (NSG), Missile Technology Control Regime (MTCR), The Australia Group (AG) and The Wassenaar Arrangement (WA). So these four major non-proliferation groups have significant role in the prevention of misuse of peaceful nuclear energy.²³ A long time advocate of global nuclear non-proliferation, India's position on NPT has consensus at home, on the condition that everyone disarms India will gladly do so too. Particularly, this issue is on the strategic understanding that China who fought war with India in 1962 has Nuclear Weapons making it not responsible to sign a treaty that would disarm India unilaterally. Moreover, India not likes Iran and North Korea who signed the NPT but violated its conditions through secret nuclear progress. India has pursued its own nuclear development but has clean

¹⁰ Ashely Tellis and Sean Mirshki —*Crux of Asia: China, India and the Emerging Global Order* "Carnegie Endowment for International Peace, Washington DC, USA, 2013, pp.83-95.

¹¹ Rahul Bhonsle et al —*Indo-US Civil Nuclear Deal* Atlantic New Delhi, 2007, p.413

¹² M.L.Sondhi et al —*Asia-Pacific Security Globalisation and Development* Manas, New Delhi, 2001, pp.218-220

¹³ Rahul Bhonsle et al —*Indo-US. Civil Nuclear Deal* Atlantic, New Delhi, 2007, p.146.

¹⁴ Rajesh Rajagopalan —*Prospects for Nuclear Non-Proliferation Regime in Emerging Nuclear Proliferation Challenges* Atlantic, New Delhi, 2005, p.03.

¹⁵ Rahul Bhonsle et al —*Indo-US Civil Nuclear Deal* Atlantic, New Delhi, 2007, pp.107-109

¹⁶ K.R.Gupta and Vatasala Shukla —*Foreign Policy of India* Atlantic, New Delhi, 2009, p.218

¹⁷ Rahul Bhonsle et al — *Indo-US Civil Nuclear Deal* Atlantic, New Delhi, 2007, p.109.

¹⁸ Rahul Bhonsle et al — *Indo-US Civil Nuclear Deal* Atlantic New Delhi, 2007, p.413

¹⁹ Ibid. p.232.

²⁰ Saurabh and B.C.Upreti — *Strengthening SAARC Exploring Vistas for Expanded Cooperation* Pentagon, New Delhi, 2012, p.239

²¹ Lisa Curtis — *Enhancing India's role in the global non-proliferation regime* Centre for Strategic and International Studies, USA, 2010, p.01.

²² Ibid.

²³ Jaffrey A. Larsen — *Arms Control : Cooperative Security in a Changing Environment* Viva Books, New Delhi, 2005, pp.372-392.

proliferation record because she has never transferred its technology or leaked a nuclear secret. India's nuclear program is strictly in civilian hands and its Nuclear Doctrine depends on deterrence supported by a credible retaliatory threat rather than a de-stabilizing first strike capacity which India has not developed even against a superior potential enemy like China. India faced a host of attacks like Parliament attack, Mumbai attack and Pakistan's refusal to sign a first strike agreement with India is a serious cause of concern but India's approach is based on the belief that Non-proliferation cannot be an end itself rather it must be linked to nuclear disarmament.²⁴ India discarded the NPT not because she wanted nuclear weapons but she wants to preserve her freedom of action in this area.²⁵

India and Pakistan in US view

India and Pakistan are different countries with different needs and different histories. US ties with Pakistan as major non-NATO ally status follows strong commitment to keep close relations and cooperation plus war against terrorism. Notwithstanding, Pakistan does not have the same non-proliferation history as India has.²⁶ The US is obligated under the NPT not to assist India's nuclear weapons programme. The US does not recognize India as a nuclear weapons state and US will not seek to re-negotiate the NPT, whether to change the treaty definition of a nuclear weapons State or in any other way. So US are cognizant of and will completely uphold all of its obligations under the NPT and US are committed in principle to universal NPT obedience. But US also recognize that India is in a unique situation and has demonstrated to be responsible in not proliferating its nuclear technologies and materials. With its decision to take the steps announced in the Joint Statement 15 July 2005, India will now take on new non-proliferation responsibilities that will cement global non-proliferation efforts that serve the basic aim of the NPT. India has also highlighted to US that it has no intention of giving up its nuclear weapons or of becoming a party to the NPT as a non-nuclear weapon state, the only way it could stick under the present conditions of the Treaty. In spite of this, it is essential for US to take this opportunity to assist India in becoming a more constructive partner in US global non-proliferation efforts. India's commitments to be undertaken in the context of the Joint Statement will align New Delhi more closely with nuclear non-proliferation regime than at any time previously. India has demonstrated that it wants to be partner and is willing to take important steps to this goal. In this context, it is essential to note that the NPT does not ban civil nuclear cooperation with safeguarded facilities in India, nor does it need full scope safeguards as a condition of supply.²⁷ The 1998 nuclear tests have disclosed that India is more depend on power and less on morality and unilateral restraint in the pursuit of Indian interests. The then Prime Minister Atal Behari Vajpayee maintained that the nuclear test has not been termed as 'peaceful' and none should have any deception about India accepting any treaty that is discriminatory in Character.²⁸

Accordingly, India seeks to be a partner and not a target of non-proliferation system. This position of India on nuclear proliferation continues to stand today. However, it is this position of India who is non-signatory to the NPT and CTBT yet receiver of a 'special status' through the NSG and IAEA for carrying out of the 123 agreement that is a matter of critical concern for US.²⁹ The US efforts to get India on board for the CTBT and Fissile Material Cut off Treaty (FMCT) were clarified in the connection of the NPT Review Conference of 2010.³⁰ India desires to join the NPT as a Nuclear Weapon State and become the sixth NPT-recognized nuclear state. Bringing India into the NPT as a nuclear weapon state would be controversial but to exclude a nuclear state will not strengthen nuclear non-proliferation efforts. India has long criticized the NPT and held it will not join because the NPT discriminated non-nuclear states on January 01, 1967 which increased the difficulties for states desiring to develop nuclear energy and did not contain serious disarmament obligations for existing nuclear states.³¹ India's commitment to nuclear non-proliferation is not new because her founding fathers as Nehru suggested a complete ban on nuclear testing in 1954 and in 1982 a convention to ban on the production of nuclear weapons. Finally, India submitted a Comprehensive Action Plan for a nuclear-free world with in a specific time-frame at the third UN Special Session on Disarmament in 1988.³² India is strongly committed to universal, non-discriminatory, global nuclear disarmament and its track record of non-proliferation is clean. India will continue to contribute to the strengthening of the global non-proliferation efforts. India also committed to maintain a unilateral and voluntary moratorium on nuclear testing. Hence, India's nuclear position outside the NPT no longer poses the same challenge to the non-proliferation system that it once did. This is due to her pursuit for the position of a nuclear responsible which has served to encourage responsible nuclear behavior. Joining the NPT is less important than obeying with the treaty because some signatory of the treaty violated like North Korea and Iran. India's definition of arms control, disarmament and non-proliferation is different to other countries. India views arms control by addressing the issue bit by bit it only tends to carry on nuclear weapons in the hands of a few selected nations. Disarmament refers to concrete reductions in nuclear stockpiles with the ultimate aim of achieving a nuclear-free world. It does not envisage it's a replacing existing stockpile by new categories of nuclear weapon systems. Non-Proliferation is mainly seen as an extension of the arms control regime. So, India's approach to nuclear disarmament, nuclear non-proliferation and arm control is mainly based on the belief that there is close similarity between all the three.³³ India caused freedom in 2008 when it concluded 123 agreement with the US under which India could access nuclear technologies and materials in return for placing its civilian nuclear facilities under international Atomic Energy Agency (IAEA) safeguards.³⁴

²⁴[www.project-syndicate.org/commentary/India's nuclear -path](http://www.project-syndicate.org/commentary/India's_nuclear_path), New Delhi, Accessed on 17 May, 2014.

²⁵Priyanjali Malik — *India's nuclear debate: Exceptionalism and the Bomb* Routledge, London, p.27.

²⁶Rahul Bhonsle et al — *Indo-US. Civil Nuclear Deal* Atlantic, New Delhi, 2007, pp.333-336.

²⁷Ibid. p.416.

²⁸Neha Arora — *International Relations* RBSA, Jaipur, India, 2012, p.357.

²⁹India Quarterly, Vol.69, No.1, New Delhi, March 2013, p.9.

³⁰The Hindu, 1 May, 2010.

³¹New York Times, Sunday Review — *India's Role in the Nuclear Race* July, 5, 2014.

³²K.R.Gupta and Vatasala Shukla — *Foreign Policy of India* Atlantic, New Delhi, 2009, p.195.

³³Strategic Digest, Vol.39, No.3, March 2009.

³⁴Sudhir Manav — *Indian Foreign Policy: An empirical Analysis* Kunal, New Delhi, 2012, p.46.

India unlike Iran and North Korea a Different Non-Signatory of NPT

The 1968 Nuclear Non-Proliferation Treaty (NPT) defines a nuclear weapons state as —one which has manufactured and exploded a nuclear weapon or other nuclear explosive device before January first 1967. The US, UK, France, Russia and China exploded nuclear devices before that date. India does not meet this definition and US do not seek to amend the NPT. It is not credible to compare the rogue regimes of North Korea and Iran to India. Unlike Iran or North Korea, India has been a peaceful and vibrant democracy with strong nuclear non-proliferation record. India has never been a party to the NPT, has agreed to take a series of steps that will bring it into the international non-proliferation mainstream. Iran and North Korea is very different cases. They signed and ratified the NPT and gave lip service to sticking to their international obligations. Through their secret actions, nevertheless, they broke the very non-proliferation commitments they claimed to follow. Moreover, both regimes have isolated themselves from the international community. India stood outside the global non-proliferation regime for the last 30 years. India will enter the international non-proliferation mainstream thereby strengthening the regime that continues to play a vital role in enhancing international security and stability. All nations that are party to the NPT are permitted full access to nuclear technology for peaceful purposes but are prohibited from pursuing or possessing nuclear weapons except for the five recognized nuclear weapons states.³⁵ China's support of the non-proliferation system has strengthened since it signed the NPT in 1992.³⁶ Conversely, both China and India disagree their interests about North Korea, Iran and Pakistan because they find themselves in a dilemma as China and India do not want to challenge Iran's right to peaceful nuclear energy but have concern about its nuclear program. China and India recognize that North Korea and Iran's decisions are driven by the larger political and security contexts in their respective regions. Accordingly, China and India also maintain that they carefully follow international obligations over national interests when interacting with either North Korea or Iran.³⁷ Apart from it, India has subjected itself to the conditions of the NPT as other Nuclear Weapons State. India has also agreed its export controls with the NSG and MTCR member states.³⁸ Critics complained that the agreement rewarded India's NPT non-cooperation and weakened efforts to strengthen non-proliferation. India has not fostered proliferation unlike China and Pakistan. Through 123 agreement India has accepted IAEA supervision of its civilian nuclear facilities and India has performed better in this regard than Libya, Iran, Iraq, North Korea and Syria who joined the treaty as non-nuclear weapons states but violated or is suspected of violating the NPT.³⁹ In short, India is not weakening the non-proliferation system rather the NPT system has been weakened by its own flaws and the countries that agree to abide by but flouted its rules.⁴⁰

What India should do for NPT in future?

India should keep its commitment up about nuclear non-proliferation in letter and spirit. As India has pledged to pause on nuclear testing, not hamper CTBT for implementation, join the Fissile Material Cut off Treaty (FMCT) talks when begin, no transfer of nuclear material or technology from India, India-specific safeguards with International Atomic Energy Agency and No-First-Use doctrine. In fact, India has got 'nuclear responsible state' position outside NPT on its history of commitments nuclear non-proliferation which convinced International Community and USA to forge nuclear understanding between India-US in the shape of 123 agreement. Post 1998 India has been stuck in highlighting its nuclear weapon state position alone of the treaty and desiring join into the NPT as a responsible nuclear state. But this position of India required amendment to the NPT for recognition as a nuclear weapon state. This amendment was believed that it will not improve NPT's future. It is found that the chance of India signing NPT or CTBT in the future has no contradiction in India's perception being a nuclear state and contributing actively to international nuclear disarmament and nuclear non-proliferation because India remains strongly committed to universal, non-discriminatory, global nuclear disarmament and its track record of nuclear non-proliferation is impeccable (clean). India's membership of the four international export control systems will be helpful to this. Hence demand for India to join the NPT should not highlighted because India's position outside the NPT no longer poses the same challenge to the nuclear non-proliferation system that it once did. This is because of its quest for the position of a 'nuclear responsible state' has served to help responsible nuclear behavior which convinced USA to ink 123 agreement with India.

In this context, every effort should be made to gain her contribution in similar instruments and arrangements which use similar nuclear non-proliferation and disarmament commitments like signing Comprehensive Test Ban Treaty (CTBT); Fissile Material Cut off Treaty (FMCT). India should be given membership in NSG for strengthening nuclear non-proliferation system. In this respect, demonstrating commitments to disarmament and nuclear non-proliferation and sign up to particular future commitments. India should be permitted to access materials and technology for civilian purposes on the same basis as an NPT member. India should be allowed to participate in all party disarmament negotiations on the same basis as the nuclear weapon state members of the NPT have and not be discriminated because of her non-membership of NPT.⁴¹ India should not be compelled to join the NPT because India's nuclear status outside the NPT no longer looms the same challenge to the nuclear non-proliferation system that it once did. This is because India's quest for the status of 'a nuclear responsible state' which has served to encourage 'responsible nuclear behavior' and will keep it up in the future. Signing the NPT has little importance than obedience with NPT because North Korea and Iran were signatories of the NPT but violated and withdrew; India is neither signatory nor violated the treaty. Accordingly, India should be encouraged and allowed to give membership in

³⁵Rahul Bhonsle et al — *Indo-US. Civil Nuclear Deal* Atlantic, New Delhi, 2007, pp.333-336.

³⁶ Ibid.

³⁷ Asheley Tellis and Sean Mirshki (2013) , op.cit., p.95.

³⁸ Rajesh Rajagopalan — *prospects for Nuclear Non-Proliferation Regime in Emerging Nuclear Proliferation Challenges* New Delhi, 2005, p.03.

³⁹ K.R. Gupta and Vatasala Shukla (2009) op.cit., p.238

⁴⁰ Rahul Bhonsle et al "Indo-US Civil Nuclear Deal" Atlantic New Delhi, 2007, p.413

⁴¹ www.icnnd.org ICNND Secretariat: Dept of Foreign Affairs and Trade.

multilateral regimes related to the NPT system and not carry condition of NPT membership. India's ambitions to join these regimes are encouraging it to establish and implement more rigid export guidelines at the domestic level.⁴²

Conclusion

India is committed to nuclear non-proliferation and advocate of total elimination of nuclear weapons on equal stand. Accordingly since 2006 India was recognized as a responsible nuclear state because India has fulfilled all the standards outside NPT that requires for signatory state of NPT. India has clean record on nuclear proliferation as compared to other States who were signatory of the NPT but violated. India is not signing NPT because it is discriminatory in Character. The 1998 nuclear tests have disclosed that India wants freedom in international decision-making. Therefore, India's nuclear stand outside the NPT no longer poses challenge to the non-proliferation system because of her pursuit for the position of a nuclear responsible which has served to encourage responsible nuclear behavior. Joining the NPT is less important than obeying with the treaty because some signatory of the treaty violated like North Korea and Iran. India seeks to be a partner and not a target of non-proliferation system. This stand of India on nuclear proliferation continues to support today. India desires to join the NPT as a Nuclear Weapon State and become the sixth NPT-recognized nuclear state. Bringing India into the NPT as a nuclear weapon state would be controversial but to exclude a nuclear state will not strengthen nuclear non-proliferation efforts. India shares with most other nations the conviction that every attempt should be made to eliminate the world's stockpile of nuclear weapons. Thus, India has shared its commitment to this conviction in a host of ways. But as a responsible nation, India has never transferred nuclear technology to other countries.

Thus, India has subjected itself to the conditions of the NPT as other nuclear weapons states. India has also harmonized its export controls with NSG and MTCR member states. India's nuclear position outside NPT does no longer poses the same challenge to the non-proliferation regime because her quest for the status of a 'nuclear responsible state' has served to encourage responsible nuclear behavior.

⁴²Kate Sullivan —*Is India a Responsible Nuclear Power?* March 2014,p.01-02,online edition accessed on 13, April 2014.