

India's Nuclear Policy

***Dr. Kamal Kishor Saini**

Origin of the Nuclear Question

India's nuclear journey began with the establishment of the Indian Atomic Energy Commission (IAEC) in 1948, under the leadership of Homi Bhabha. At that time, India's focus was on the development of nuclear energy for civilian purposes. Jawaharlal Nehru, India's first Prime Minister, emphasized the importance of scientific progress and self-sufficiency in the nuclear program as a means to catch up with the industrial advancements missed during the colonial era.

Initially, India adopted an idealistic approach to nuclear policy, viewing nuclear weapons as a threat to international peace and security. India called for a ban on nuclear weapons testing as early as 1954, highlighting its commitment to nuclear disarmament. However, several factors influenced a shift in India's stance.

One significant event was the 1962 war with China, which ended in a defeat for India. This defeat, coupled with China's subsequent nuclear test in 1964, compelled India to reassess its nuclear policy. Prime Minister Lal Bahadur Shastri acknowledged the possibility of India conducting nuclear explosions for peaceful purposes, indicating a departure from the previous idealistic approach.

The Nuclear Non-Proliferation Treaty (NPT) of 1968 played a crucial role in shaping India's nuclear policy. While the treaty aimed to establish a global non-proliferation regime, it maintained the nuclear power monopoly of certain countries and deprived non-nuclear states of the benefits of peaceful nuclear technology. This unequal treatment, coupled with the growing China-US-Pakistan nexus, prompted India to reevaluate its options.

In 1974, India conducted its first nuclear test, known as Pokhran I. The test was declared to be for peaceful purposes rather than the development of a nuclear bomb. India's objective was to showcase its technological capabilities while keeping its options open. Unlike other countries that had conducted nuclear tests, India did not proceed to build a nuclear arsenal at that time.

Instead, India continued its research and development in the nuclear field. The pursuit of nuclear technology for peaceful purposes remained a significant aspect of India's nuclear program. However, the geopolitical landscape, security concerns, and perceived discrimination within the NPT regime influenced India's decision to maintain the capability to develop nuclear weapons if necessary.

India's nuclear policy has continued to evolve since then, with subsequent nuclear tests and the eventual declaration of India as a nuclear-weapon state in 1998. However, India has consistently emphasized its commitment to disarmament and global non-proliferation efforts while asserting its right to maintain a credible minimum deterrent for national security.

Partial Test Ban Treaty

The Partial Test Ban Treaty (PTBT), formulated in August 1963, aimed to ban nuclear testing in the

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atmosphere, outer space, and underwater. India, being one of the countries advocating for a total ban on nuclear weapons testing, signed the treaty. The Indian government believed that the PTBT would serve as a crucial step in reversing the nuclear arms race.

However, the treaty did not address underground testing of nuclear weapons. This omission became a cause for concern for India because both the United States and the Soviet Union continued to conduct underground tests. This undermined India's hopes for a comprehensive ban on testing and raised doubts about the effectiveness of the treaty in curbing the development of nuclear weapons.

India's concerns regarding the PTBT were further compounded by the nuclear tests conducted by China in 1964 and the evolving geopolitical dynamics in the region. The absence of a comprehensive ban on nuclear testing and the continued testing activities by major powers led to a reevaluation of India's nuclear policy and a shift towards considering the option of conducting its own nuclear tests in the future.

It is important to note that India eventually conducted its first nuclear test in 1974, which was justified as a peaceful nuclear explosion for civilian purposes. However, the PTBT's limitations and the geopolitical circumstances of the time played a role in shaping India's perceptions and actions regarding nuclear testing and its nuclear program.

Nuclear Non-Proliferation Treaty (NPT) 1968

The Nuclear Non-Proliferation Treaty (NPT), signed in 1968 and entered into force in 1970, is indeed the principal global non-proliferation regime. The treaty establishes a framework for preventing the spread of nuclear weapons and promoting disarmament. Its provisions differentiate between Nuclear Weapon States (NWS) and Non-Nuclear Weapon States (NNWS).

The NPT recognizes five nuclear-weapon states: the United States, Russia (formerly the Soviet Union), the United Kingdom, France, and China. These states are recognized as NWS because they had manufactured and exploded a nuclear weapon prior to 1 January 1967. The treaty allowed these states to possess nuclear weapons while obligating them not to transfer nuclear weapons or their explosive devices to NNWS.

On the other hand, NNWS are states that have committed not to acquire nuclear weapons. They have agreed to be subject to safeguards administered by the International Atomic Energy Agency (IAEA). These safeguards verify compliance with the treaty's provisions and ensure that nuclear materials and facilities are used exclusively for peaceful purposes.

Some of the main provisions of the NPT treaty are as follows:

- Article I and II of the NPT stipulate that nuclear weapons states shall not transfer nuclear weapons' material or explosive devices to the NNWS.
- NNWS should not seek to obtain these weapons, and the International Atomic Energy Agency (IAEA) should administer safeguards to check whether parties to the treaty comply with these provisions.
- Article IV of the treaty entitles NNWS to procure technology for the peaceful use of nuclear energy.
- Article VI of the treaty provided that nuclear weapons states (NWS) would undertake to pursue, in good faith, effective measures relating to the cessation of nuclear arms at an early date.

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The NPT has played a significant role in shaping global non-proliferation efforts and establishing norms for nuclear disarmament and peaceful uses of nuclear energy. However, debates and challenges persist regarding the treaty's effectiveness, particularly in achieving disarmament commitments and addressing non-compliance issues.

India's Stand on the NPT

India has had a critical stance on the Nuclear Non-Proliferation Treaty (NPT) and has voiced its concerns regarding the treaty's perceived inequities and flaws. India views the NPT as a form of "nuclear apartheid" that reinforces the dominance of a few nuclear weapons states while restricting the rights of non-nuclear weapon states (NNWS).

One of India's main criticisms is that the NPT lacks provisions for the disarmament of existing nuclear weapons states. While the treaty aims to prevent the horizontal proliferation of nuclear weapons to NNWS, it does not address the vertical proliferation among the nuclear weapons states. This, according to India, legitimizes the monopoly of nuclear weapons held by a select few nations and perpetuates an imbalance of power in the international system.

Indian scholars and critics argue that certain articles of the NPT contradict each other. Articles I and II prohibit nuclear weapons states from transferring nuclear weapons or technology to NNWS, while Articles IV and V promote peaceful nuclear research and commercial activities. This discrepancy in the treaty's provisions is seen as a flaw that undermines its effectiveness.

Another point of contention for India is the perceived failure of the NPT's Article VI, which calls for nuclear disarmament negotiations in good faith. Critics argue that the nuclear weapons states have not fulfilled their obligations under this article, and it was intentionally included to entice non-nuclear weapons states into signing the treaty without genuine intent for disarmament.

India believes that the NPT serves as a mechanism for the established nuclear powers to deny recognition and legitimacy to emerging nuclear states. By preventing the entry of new nuclear challengers, the NPT protects the power position of the existing nuclear weapons states and maintains their dominance in the international system.

In summary, India views the NPT as an inequitable treaty that perpetuates nuclear disparities and serves the interests of a few dominant nuclear powers. It criticizes the treaty's lack of disarmament provisions for existing nuclear weapons states and highlights contradictions within its articles. India perceives the NPT as a means to deny recognition to new nuclear states and maintain the existing power dynamics in the international arena.

Comprehensive Test Ban Treaty (CTBT) 1995

The Comprehensive Test Ban Treaty (CTBT) was brought into force in 1995 as an important pillar of the Nuclear Non-Proliferation Treaty (NPT) regime. It aimed to establish a global prohibition on all nuclear tests, thereby curbing the development and proliferation of nuclear weapons. However, the CTBT has faced challenges and criticism, particularly regarding its implementation and the actions of nuclear-weapon states.

The main provisions of the CTBT include the prohibition of all nuclear tests worldwide and the prevention of assistance to other states in conducting nuclear explosions. The treaty also establishes an International Monitoring System (IMS) to detect and monitor nuclear explosions, allowing for consultation and cooperation among state parties. National verification facilities are required to provide data to the IMS, participate in confidence-building measures, and permit on-site inspections.

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Critics argue that the CTBT is flawed and allows certain provisions that give advantages to nuclear-weapon states. They point out that nuclear-weapon states can continue designing nuclear weapons through laboratory testing programs and maintain nuclear test sites in states of readiness. The treaty also allows these states to withdraw without penalty using a "national interest" clause, conduct subcritical tests underground (which are difficult to verify), and retain large weapons-design teams and archives preserving the knowledge of nuclear weapons designs.

These criticisms raise concerns about the effectiveness of the CTBT in achieving its goal of a comprehensive ban on nuclear testing. The treaty's provisions are seen as allowing nuclear-weapon states to maintain their nuclear capabilities and potentially undermine the spirit of disarmament.

It is worth noting that while the CTBT has been signed and ratified by many countries, including the major nuclear powers, it has not yet entered into force. For the treaty to become legally binding, it requires ratification by a specific set of states, including certain key nuclear-weapon states, which has not yet been achieved.

Overall, the CTBT has been a subject of debate and criticism, with concerns raised about its implementation, verification capabilities, and perceived advantages given to nuclear-weapon states.

India's position on CTBT

India has had a critical stance on the Comprehensive Test Ban Treaty (CTBT) and has expressed its concerns regarding various provisions of the treaty. India's position can be summarized as follows:

- **Total Ban on Nuclear Tests:** India advocated for a total ban on all nuclear tests, without exceptions for safety purposes. India insisted that no testing should be carried out under any pretext.
- **Phased elimination of nuclear weapons:** India emphasized the goal of eliminating all nuclear weapons in a time-bound phased manner. It called for the submission of inventories of fissile materials to monitor progress towards disarmament.
- **Refining of Arsenals without Testing:** India highlighted its concerns that the CTBT allowed Nuclear Weapons States (NWS) to refine their arsenals without the need for nuclear explosive testing through very low-yield sub-critical computer-simulated tests. This was seen as a potential loophole that could undermine the objective of disarmament.
- **Opposition to Intrusive Inspections:** India opposed provisions in the CTBT that allowed for unwanted intrusive inspections of laboratories. It argued against measures that infringed on national sovereignty and insisted on respecting the sovereignty of states in the implementation of the treaty.
- **Objections to Entry-Into-Force Provision:** India objected to the Entry-Into-Force (EIF) provision, which required the signature and ratification of specific states for the treaty to come into force. India viewed this provision as a breach of its sovereignty and insisted on time-bound specifications within the treaty itself.

India's concerns regarding the CTBT's provisions and perceived violations of its sovereignty led to its opposition to the treaty. In September 1996, India voted against the CTBT and effectively vetoed its adoption. India's position reflects its broader stance on nuclear disarmament and its aspirations for a comprehensive and equitable approach to nuclear non-proliferation and disarmament.

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Pokhran II Tests

On 11 May 1998, India conducted a series of underground nuclear tests at the Pokhran test site in the state of Rajasthan. The tests involved three different types of devices: a fission device, a low-yield sub-kiloton device, and a thermonuclear device. These tests were successfully carried out, marking a significant development in India's nuclear capabilities.

Two more underground sub-kiloton tests were conducted on 13 May, completing the planned series of tests. These additional tests were aimed at generating additional data for improved computer simulation of designs and acquiring the capability to carry out sub-critical experiments if deemed necessary.

The Pokhran II tests were significant for India as they demonstrated the country's technological prowess and reinforced its status as a nuclear-armed state. These tests drew international attention and resulted in various reactions from the global community, including condemnations and concerns regarding nuclear proliferation.

It is important to note that India justified the tests as necessary for maintaining national security and deterrence capabilities, as well as to assert its sovereignty in the face of perceived threats. The Pokhran II tests had implications for regional and global security dynamics, triggering debates on nuclear non-proliferation and disarmament efforts.

Response to India's Nuclear Test

India's nuclear tests in 1998 generated significant international concern and led to various reactions from the global community. Many countries expressed grave concerns about the negative implications of the tests on regional peace and stability, particularly in South Asia. The international focus also shifted to the Kashmir issue following India's nuclear tests.

In response to the tests, the United Nations Security Council passed Resolution 1172, urging both India and Pakistan to sign the Nuclear Non-Proliferation Treaty (NPT) and the Comprehensive Test Ban Treaty (CTBT) without conditions. Several countries imposed economic sanctions on India, including Japan, which suspended grants, and Sweden, which cancelled a three-year aid agreement. Other countries, such as Canada, Sweden, and Australia, also reduced their development aid.

The United States, in particular, imposed economic sanctions on India under the Arms Export Control Act (Glenn Amendment). These sanctions involved the termination of various forms of assistance and sales, denial of credit and financial assistance, restrictions on loans and credits by U.S. banks, and the prohibition of the export of specific goods and technology subject to export licensing.

However, over time, many countries recognized the need for a meaningful dialogue with India. Despite the initial strong reactions and the imposition of sanctions, it became evident that isolating India was not effective in addressing the issue. Several countries, including the United States, engaged in discussions with India on nuclear-related matters. France showed a greater understanding of India's security compulsions, and Russia opposed economic sanctions while expressing concerns over proliferation.

The international community, on the whole, expressed willingness to initiate a dialogue with India on nuclear issues instead of attempting to isolate it. This shift in approach recognized the need to address India's security concerns and engage in constructive discussions to promote nuclear stability and non-proliferation efforts.

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Indian Nuclear Tests- Rationale and Benefits

The Indian nuclear tests conducted in May 1998 were seen by strategic analysts as providing certain benefits to India, despite the imposition of economic sanctions by the West. These benefits can be summarized as follows:

- **Breaking the Connection between nuclear weapons and Permanent Security Council Membership:** The tests signalled a rejection of the notion that overt nuclear weapon status was tied to permanent membership of the UN Security Council. India's actions challenged the unequal non-proliferation treaties and gave voice to many nations that had been silent on nuclear issues.
- **Asserting Independent Power Status:** By declaring itself a nuclear weapon state, India demonstrated its independent power status and technological advancement. This disrupted the strategic partnership between China and the United States and showcased India's capacity to influence regional dynamics.
- **Restoring Equilibrium in the Asia-Pacific Power Structure:** The collapse of the Soviet Union had left China as the sole dominant power in the Asia-Pacific region. However, India's nuclear tests brought about a new equilibrium by demonstrating its nuclear capabilities, which China had underestimated. India's enhanced nuclear capability countered China's regional hegemony and made China more cautious in its policies.
- **Deterrence and Prevention of War:** India's nuclear capability was seen as a deterrent that could prevent the outbreak of war. Indian strategists believed that a stable nuclear deterrent would promote peace, deter conventional conflicts, and encourage diplomatic negotiations between warring parties.
- **Enhanced Security and End to Nuclear Coercion:** The tests bolstered India's security and put an end to constant nuclear coercion and blackmail by Nuclear Weapons States (NWS). India's nuclear capability provided a stronger defence posture and reduced external pressures.
- **Arms Control and Confidence-Building Measures:** The nuclear tests paved the way for meaningful arms control and confidence-building measures between India and its neighbours, particularly China and Pakistan. There were hopes that India would be consulted in future arms control negotiations, and the tests highlighted the need for global nuclear disarmament.

Overall, the nuclear tests conducted by India were seen as a significant step in asserting its power and security, challenging the established nuclear order, and promoting discussions on arms control and disarmament. While there were geopolitical implications and concerns regarding the regional balance of power, India's nuclear tests were regarded by some as beneficial in terms of India's security and its role in shaping global nuclear policies.

Conclusion

In conclusion, the discussions on the origin of the nuclear question, India's nuclear policy, and the international response to India's nuclear tests shed light on the complexities and challenges surrounding nuclear weapons and disarmament. The devastating effects of nuclear weapons witnessed during World War II propelled nations to develop their own nuclear capabilities, leading to an arms race and concerns about international peace and security.

India's nuclear journey has been shaped by various factors, including its pursuit of scientific progress, national security considerations, and its perception of an unequal nuclear order. India's stance on the

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Nuclear Non-Proliferation Treaty (NPT) and the Comprehensive Test Ban Treaty (CTBT) has been critical, driven by concerns about inequities, flaws, and potential violations of sovereignty.

The international response to India's nuclear tests in 1998 highlighted the complexities of global nuclear politics. Condemnation, economic sanctions, and calls for India to sign the NPT and CTBT were met with arguments about India's growing economy, technological capabilities, and the need for dialogue rather than isolation. The tests brought both benefits and challenges for India, such as asserting its power status, promoting regional balance, and enhancing security, while also facing international scrutiny and sanctions.

The conversations underscore the importance of addressing nuclear disarmament comprehensively and equitably, considering the concerns and aspirations of both nuclear-weapon states and non-nuclear weapon states. The aim should be to create a global framework that ensures peace, security, and equal treatment for all nations, while promoting meaningful arms control measures and a genuine commitment to nuclear disarmament.

Ultimately, the nuclear question continues to be a complex issue with far-reaching implications. It necessitates ongoing dialogue, cooperation, and diplomatic efforts to achieve a world free from the threat of nuclear weapons and to maintain global peace and stability.

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