Indo-USA 123 Deal and Nuclear Cooperation Agreement Feature and Reasons: Perspective of China and Pakistan

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Article Information		Abstract
Received: Revised: Accepted: Keywords Minimum det China GWOT Nuclear deal section 123	February 09, 2021 June 30, 2023 June 30, 2023	India and United States have led to a strategic partnership due to mutual interests in global politics such as promoting democracy and fighting terrorism. After that, they extend their collaboration across the economy, technology and atomic energy. After 1998 nuclear tests United States imposed sanctions on both India and Pakistan and stopped any kind of aid and assistance to them. But after the incident of September, 11 USA changed her strategies toward both countries and started Global war on terrorism (GWOT). In the South Asian security environment, the United States of America (USA) and India have a strong bond of strategic partnership due to the power struggle between the regional powers. India and USA started nuclear deal on 2005 which was completed on 2006. Behind this deal, both states increase their influence in this region. After this USA took steps toward India and signed the deal with it because in this
		region USA has only one watch dog in the shape of India. China is emerging as global power that is threatening situation for United States of America. In response of Indo-USA nuclear deal, arms race between India and Pakistan added risk of accidental use of nuclear technology due to unsophisticated command and control system.

1. Introduction

USA-India consensual relations and 123 deals for transformations of new technology is the corner stone in the strategic partnership of both states due to mutual interests in global politics such as promoting democracy and fighting terrorism. After that, they extend their collaboration across the economy, technology and atomic energy which related to peaceful uses of nuclear energy that began after a long and uncertain journey. For the period of time, "United States congressman was openly meeting with Dr. Singh, the existence to the 123 agreement that had to sign because United States hoped that India would buy 126 fighter jets from it" (Mian, Nayyar, Rajaraman, & Ramana, 2006). But other parties refused that argument and said that this agreement would be the key element to enable the both states to cooperate and start open door to long term strategic partnership. This deal got final approval on 1 October 2008 in which USA facilitating nuclear technology to India (Sharma, 2008). Due to the deal revitalization, USA sanctions on India finished which had been imposed on India after 1992 explosion and restart the nuclear trade with each other. India got USA civilian nuclear energy assistance by deal and enlarged cooperation in fields of energy and satellite tools.

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2. Contextual Analysis

Here focus on region's politics rather than on global politics and also assess the Indo-USA relationship and Pakistan security in the realist paradigm. The situation between Pakistan and India are understandable by structural realist theory. The purpose behind the Indo-USA deal is not easy to understand without USA's strategic goals. These goals achieve by the system of alliances in which all rival states also included like Old Europe, Russian federation or China. The reason behind this USA relationship was and is India's important location in south Asia, western Asia and Southeast Asia. The result of Indo-USA cooperation especially in nuclear and space arenas disturbs the status quo among Pakistan and India. USA griped the lot of political, economic and strategic benefits in global arena. Developing states have different problems like insecurity but they balancing the stronger states rather than adopted their policies and influence. America adopted the unilateral approach that was criticized on many forums (Jaspal D. Z., 2007).

3. United States Section 123

123 agreements based on the name of United States section 123 Atomic Energy Act that requires the specific agreement for transfers of material based on nuclear technology to other countries. This section based on the principles of nonproliferation advance tools by USA. Under this agreement all type of cooperation like technical, scientific research and safeguard issues taken by all member states. All signatory states with USA must be follow the rules that made by superpower which related to transformation of nuclear technology. It is also called Hyde act. The Hyde Act was passed by U.S.A to make immunity for India, to permit transfer of technology for civil nuclear energy. Hence this agreement gave a lot benefits to India to make strong its position in the region (jangir, 2012). Through this deal UPA that is the Indian National Congress which sought to build relation with the United States and cooperation was just one part of the across border alliance. USA wants expand their democracy around the world; therefore it was trying to enhance its relations with that region's state (Mohan, 2016).

Twentieth century seemed remarkable transformation in trade, security and also dramatic economic, strategic and political changes which continue to influence international relations. India changed its policies towards United States after the disintegration of USSR and USA declared as a world single powerful state. The unilateral approach, opted under the Bush administration has not seen successful gaining its objectives, in which USA changed its policies on nuclear nonproliferation matter, regime change policy in Middle East (Ali, 2013). Even both states were familiar with that without resolving clashes on non-proliferation which had poisoned from 1970s (Bokhari, 2011). There could not be actual partnership. The reason behind deal was simple that USA would demand from India to pack up its nuclear weapons program. USA was also trying to change India's domestic law and push international rules to provide civil cooperation with India. India would detach its nuclear and civil programs and support the non-proliferation regime (Müller, 2009).

India's nuclear deal with USA arose in the context of growing requirements of India to sufficient and reasonable energy provisions to endure its technological skills and economic growth. After 1962 war of India and China, India decided to start its Atoms for peace program. Through this program India entered in 123 Agreement with USA and also started its bilateral relations in mid-1950 and initiated its policy of Atom for Peace. In this agreement, USA supply heavy water to India and India was met the terms with the USA government. India had first time entered in a deal with United States in 1963 which directly based on civil uses of nuclear technology. Under this agreement USA supplied uranium ore technology related to Tarapur nuclear power plant. This agreement would be just a mechanism to introduce the new law that was signed between USA and India (Shourie, 2006).

Furthermore, the 123 Agreement is essential to include terms that are covered by the new Act. Under this act India will export nuclear reactors, nuclear material, technology and fuel. There is no need to contain the many sections of law for the reason that agreement is not put to comprise them and as it also have been legislated in other law just as Hyde act. Under section 123, there are round about 23

agreements in operation, though, all are varying from each other. The 123 agreements are in process under section 123 and all of these different from each other. In 1963, United States signed the 123 agreement with India according to Brahma Chellaney record. That agreement comprised the different kinds of requirements with the aim what would be faced (Mistry, 2014). In result, by that agreement India would get fuel for Tarapur from United States.

USA supported India to gaining a status of great power in twenty first century in the world especially in South Asia. For this purpose, both states worked on strategic partnership. In future, India as global player is likely to change the regional geopolitical scene (Kronstadt, 2007).

4. Indo-US Nuclear Cooperation

The joint statement of July 2005 between India and USA highlighted in which both states expanded their cooperation in energy and economic fields and enabled India to get latest nuclear technology from nuclear supplier group. After this deal India has a large improvement in their nuclear arsenals which is dangerous for Pakistan, for China and also dangerous for whole region. The proponent of Indo-USA nuclear initiative argued that the main purpose of this deal was to increase its civilian nuclear energy due to increasing electricity needs of India. On one side United States made possible steps to stop the proliferation of nuclear weapon but other side she helped and is helping India to enhance their weapons capabilities on the name of peaceful purpose (Sultan, 2006).

The deal has main two parts, the first part covers nuclear cooperation and the second part covers space cooperation. The deal provided USA facilitated India for two-sided space activities. United States also allowed India to develop nuclear and civilian reactors under this deal. After a long time, USA congress permitted to changes in USA law by legislation and gave permission to export civilian nuclear technology and fuel to India in December 2006. This changes in USA law granted that India and USA nuclear deal conclude under IAEA safeguard and nuclear agreement was approved by Nuclear Suppliers Group and provided an opportunity to India to access to international markets. India and USA has close relationship in space exploration, satellite navigation and commercial space fields. Moreover, both states are working on civil space cooperation for their own interests (Kimball, McGoldrick, & Scheinman, 2008).

On October 2008 USA gave approval to the Indo- USA deal to facilitate the India the field of nuclear technology. Due to this deal thirty years of USA suspension on nuclear trade lifted from India. This deal provided assistance to Indian civil energy program. After this deal India and USA expanded their cooperation in energy and satellite technology. However, "this deal proved unprecedented for India. It can be look at the three countries outside the Nuclear Non-Proliferation Treaty (NPT)-Israel, India, and Pakistan, but this stands to be a unique deal" (Bajoria & Pan, 2010). But through this agreement USA broke long-standing policies toward India and recognized India as a legitimate nuclear state after 30 years. On the other hand, USA reviewed its strategic policies toward Pakistan which were increased through proper consultation and lifting sanction. Maintenance of strategic relations with both Pakistan and India by United States offers an important test of balancing theory (Jaspal D. Z., 2007).

The last government of India Bharatiya junta Party and other members of government took some changes in India's foreign policies that were developed by Nehru based on realism. Both are share common objectives for India to gain the status of major power of region. For this status, India increased arms and armed force. Congress government maintaining Indo-USA relations same as Bharatiya junta Party and got more benefits from sole superpower because of China's relation with Pakistan and Myanmar. India also interested to work with USA multinational military operation that is not under the United Nation. India voted in right of USA in different matters like to sending its troops in Iraq and also supported USA against Iran at forum of international Atomic Energy commission. In Defense Policy Group meeting in 2003, both states agreed sign different agreements like special training programs of both countries armed forces including air training, multinational

planning exercise to establish operating method with the help of USA. It also includes development of defense supply relationship and government to government military sales program. Both states expertise are conducts dialogue on defense plans and policies. By this deal, India got more access to develop the nuclear technology (Jaspal D. Z., 2007).

India opened 14 of its 22 reactors as civilian purposes and other eight reactors are used for military purposes. But India's past record indicates that India violated the agreement and policy that was signed with IAEA (Squassoni, 2006). The Canadian supplied CIRUSA reactor was difficult to resolve the problem when it use for military purpose rather than civilian and peaceful use (Mustafa A. , 2013). India had refused to accept this deal with new amendments. This deal has helpful for India to increasing its weapons but it has many impacts on non-proliferation regime and South Asia.

5. Features and Reasons behind Signing the Agreement

There are many features of this agreement under section 123 that were given by India. The main reason behind this agreement could be to fulfill their energy requirements. For India it is critical to maintain its current economic growth rate of 8 to 10 per cent per annum if that goal is to achieve then eliminates poverty from India. Shortage of energy supply is one of the primary limitations on India's development in many fields. This Agreement places India in a special category as a State which possessing advanced nuclear technology that is transfers from United States. The Agreement provides for the development of a strategic preservation of nuclear fuel to guard against any disturbance of supply of India's reactors. The transfer of all these material and equipment are under this agreement through the IAEA safeguard.

After this deal India has a large improvement in their nuclear arsenals which is threat for Pakistan, for china and also dangerous for whole region. However, India is trying to becoming militarily stronger than Pakistan. According to USA, the purpose of this is only to increase the status of India in this region and make possible steps to remove disputes between Pakistan and India but on the other hand due to this cooperation rivalry increased between them. India and Pakistan weapons capability and strategic self-sufficiency secured by their jealousy factor. Both states try to increase their arsenal. Both states rejected the UN resolution 1172 that pressurize both states to sign the NPT and CTBT (Council, 1998). India's status as nuclear state not accepted by other nuclear states but India after that deal supposed as powerful state. This situation is beneficial for India because India transfer nuclear technology from USA and NSG. Different scholars suggest that nuclear weapons ensure greater peace in conflicts of the many states and regions. Both nuclear states were a sign of region stability. Remarkably India had not been purchased any single USA atomic power reactor since 2008. USA defense corporation expected that after signing the deal, military sales have risen but there are no remarkable sales by India. There is core objective of India behind the deal is to an end of India-USA distancing just because of a giant Asia state as population wise.

6. Perspectives of China on Deal

United States adopted dual policy, on one side encouraging India to move toward China and other side USA was using China to balance the Soviet Union. Additional, military, missile technology and nuclear relationship had begun between China and Pakistan that was to replace United States (Cohen, 2000).

China is pursuing a two-pronged strategy of silence according to the point of Indian analysts. India into complacency with greater economic interaction while taking steps to encircle India and undermine its security. China strengthens its ties with Pakistan and gaining power with other South Asian states. China in order to protect sea ways and make sure uninterrupted energy supplies to develop strategic port for this purpose in Burma, Bangladesh, Pakistan and Sri Lanka.

Pakistan and China have long-standing strategic ties. China is Pakistan's largest defense supplier and enhancing Pakistan's position in South Asia. Pakistan gained equipment and technology for nuclear weapons and ballistic missile program from China (Curtis, 2008). China provides a major support to Pakistan in the terms of missile technology. The momentous development in Pakistan and china cooperation can be seen in the field of military in 90s. China transferred short range ballistic missiles M-11 and M-9 to Pakistan's National development complex. Moreover, China helped Pakistan in the development of Shaheen-I and also signed the agreement to provide four submarines for Pakistan's Navy (Sakhuja, 2010).

China is a classic balance of power by supporting Pakistan in a relationship that mirrors the relationship between the U.S. and Israel. United States support India for the development of its nuclear program, on the other side; Pakistan got help from China to build nuclear reactors in the area of Chashma. China is continuously supporting nuclear program of Pakistan in the region. Although there has been sever condemnation due to affairs of A. Q. Khan. According to media reports, Pakistan signed the nuclear energy cooperation agreement with China, when Chinese President visited Pakistan in 2006. However, China also provided supported to the nuclear program of Pakistan. China also helped Pakistan to construct new nuclear power plants at Chashma when Asif Ali Zardari, the president of Pakistan visited Beijing in 2008. While it did not agree to sign the nuclear deal with Pakistan which would similar to Indo-USA civil nuclear deal.

However, China is helping to establish deep-sea port at Gwadar in Baluchistanon Arabian Sea. China is doing help to build this port because it has also its own interest. Because by this route, China would supply oil and gas from Persian Gulf and to gain control in Indian Ocean. Pakistan got 80% of \$250 million from China for the accomplishment of the first phase of this project. (Curtis, 2008). China extends her communication via string of pearls to Port Sudan from mainland of China. However, the sea route has many vital block points just as the Strait of Malacca, the Strait of Mandeb, the Lombok Strait and Hormuz Strait. China has also other naval centers in Somalia, Sri Lanka, Bangladesh and Pakistan. Through this china increases its geopolitical influence over the access to ports and airfields. Therefore, china establishes its relations with other countries in the region that is the weakness for India.

China was ruled by warlords and its culture has been described as peaceful and aggressive. All these circumferences shaped the China's economic, strategic and cultural thought. China is an important state in South Asia, main part of regional security arena and now rising as a superpower due to its economic stability. India is the only state in this region that works for USA. Therefore, USA plays an important role to develop and transfer nuclear technology to India. South Asia, three counties have the nuclear weapons and capabilities, is emerging as the world's new center of gravity and would be great competitor of USA. USA supported India because India is single state in south Asia which helps United States to contain the China. USA policy in South Asia is the China Centric like India, because Pakistan is the closest partner of China, which cannot fit in this triangle. The western suspicion diverted toward military expenditure of India to enhance because of China factor instead of genuine security concerns, just as Prime Minister of India stated after nuclear explosion of 1998 that India should be treated as other five states when India had become the six nuclear weapon state.

In 18 July 2005, China's first comment on Indo-USA nuclear deal which criticizes the United States nuclear collaboration with India. Chinese newspaper People's Daily 27 October wrote that United states always calling itself a guard for prevention of nuclear weapons and condemns other counties for illegal transfers of technology but break the rule by itself and sign the deal with India. This deal will bring negative impacts on the world's environment because United States always takes actions against the other states that work for the nuclear development. In 2006 Sun Yuxi, Chinese ambassador, said that China understood the India's energy needs and closer relations with USA just because China wanted better ties with USA (Kumar & Kalis, 2014-2015). China does not consider threat from India but international community act responsibly. Due to indo-USA nuclear deal Pakistan move towards China and both states made a strategic shift in their relations. Indian government relieved that the purpose of this nuclear deal was not increased their arsenals. Before the Manmohan Singh's visit to

America, Pakistan and China had met on the matters relating to armament, disarmament and arms control.

Then, the Pakistan Atomic Energy Commission (PAEC) announced plans for the development of 13 new nuclear power plants in the next 25 years with the assistance of China. Pakistan also demanded such type of deal with USA but United States did not respond actively. But this deal reveals that agreement India and USA is a dangerous policy that could burn arms race in region.

7. Pakistan Perspective towards Indo-USA deal

The primary objective of Pakistan's security has been to safeguard its prestige and territorial integrity against any external aggression. Pakistan is not the member of NATO but it has been faced danger from Indo-USA nuclear cooperation, therefore, Pakistan also demands same agreement for itself but USA did not pay any attention on this idea. From the beginning of Pakistan's independence, Pakistan adopts the Indian centric policy after the British rule (Bukhari., 2011). According to minister of foreign affairs of Pakistan, Sartaj Aziz, "The operationalization of Indo-USA nuclear deal for political and economic expediencies would have a detrimental impact on deterrence stability in South Asia" (Kumar & Kalis, 2016).

Pre-dominance ambition of India for the regional power will be only fulfilled due to partnership with USA. This will have negative impacts on weaker states in region. Pakistan's nuclear program suffered technical hurdles due to western states monopoly on nuclear technology and rigorous settings set by western countries during its early times. Moreover, international community started to propagate negative conditions just to stop the Pakistan for the development of nuclear weapons.

According to Pakistan's point of view to International Atomic Energy Agency that if IAEA approved the safeguard agreement for India and provide access for nuclear fuel, then it will lead to new arm race between India and Pakistan. On other hand, India works for the safeguard agreement with IAEA. However, Pakistan has to balance it out in accordance with its strategy of minimum deterrence whenever an imbalance is created in the region. Nuclear and space fields, conventional and nonconventional, balance of power would disturb by the India and USA cooperation between India and Pakistan. Moreover, this deal enhances the India's ability to have pre-emptive strike against Pakistan. Due this Indo-USA deal, India got a green signal to increasing its status from illegal to legitimize nuclear state.

India pushed the region towards perpetual instability by increasing its conventional defense expenditures. In this regard, Cold start doctrine developed to be used against Pakistan in case of war which gives India to increase the level of arms race in South Asia. Cold start doctrine is a bombardment inspired military strategy developed by Indian Military Command especially for Pakistan. It is latest form of Sundaji doctrine which developed and failed in 2001-2002. In cold start doctrine, under 72 hours India invade and defeat Pakistan by using Mobilized Armored Units and Integrated Battles Groups without going to nuclear war (Khan, 2015).

This deal will increase the level of minimum deterrence stability in the region. Dr. Pervez Iqbal Cheema said that Pakistan has also motivated to increase the capability of nuclear deterrent because Pakistan has severe threat on its eastern side border. However, the major powers adopted discriminatory and biased policies which associated with nuclear cooperation, that situation created sever insecurity for Pakistan. It also increased the arms race in the region. (Kumar & Kalis, 2015)

In recent times, many states are reducing their stockpiles but Asia is seeing a buildup. According the recent report, Pakistan has the fastest developing nuclear program on world. On the council of international relations American think tank, it may be round about 200 nuclear devices if Pakistan continues in 2020. South Asia is denoted as most dangerous to collapse the balance and stability due to the explosive nuclear weapons and growing territorial conflicts. According to the Pakistan point of

view on the development of nuclear weapons is that we have enough to be able to deter India because without nuclear ability our national interest will be in jeopardy which cannot affordable. In response of deal, Pakistan had explored the options that would work for the security concerns to deter the indo-USA partnership in the region. The primary concern for acquisition of weapon was to counter force ability by India because India converts its civilian nuclear program into nuclear arms which have solemn implication for Pakistan.

India and Pakistan have declared that their nuclear weapons are for deterrence and security of their states. Nuclearization increased conflict between India and Pakistan and increased militarism in South Asia. There are two military balances in south Asia. First is conventional and second is nuclear. Both states have large and skill forces and have to demonstrate their ability to integrate conventional technology in battlefield management. India's army, navy and air force are twice or three times greater than Pakistan in terms of manpower. In other words, India holds aircrafts more than Pakistan and also enjoys qualitative superiority as well. On the other hand, Pakistan also has the capability to launching an attacking and could capture some India territory.

In the terms of nuclear balance, the size of both states nuclear arsenal remains fully protected and quantity are not known. Both have a satisfactory number of delivery system like India's Prithvi and Pakistani Hatf cover the heartland of both countries. Moreover, they are working on the development of missiles with long range. The India's Agni 2 and Medium range ballistic missile covers china, middle east and central Asia whereas in response of this Pakistan's Shaheen-2 covers the whole India. This deal will force Pakistan to adopt the qualitative approach to increase its deterrence stability and offensive and defensive technological improvements. That's why Pakistan follows the minimum deterrence in nuclear and conventional fields. Pakistan always tries to balance the minimum deterrence strategy whenever strategic balance is disturbed in the region.

This relationship facilitates India to manipulate USA influence on Pakistan in its favor on the subject of different conflicts between India and Pakistan. Due to Indo-USA relationship, Pakistan lost its importance in foreign policy preferences of USA. Every state has its own security challenges and troubles but the development of nuclear weapons is conducted in order to secure and safeguard national interests and territorial borders. Pakistan has many security challenges like terrorism, sectarianism, economy and political instability vis-à-vis traditional rivalry with India. That's why, Pakistan will compel seek such type of deal with other countries like China and Russia due to massive USA assistance to India in latest nuclear technology.

According to Pakistan, that action would be dangerous for the Pakistan defense and security. This deal compelled Pakistan to follow the qualitative approach to enhance the ability and stability of deterrence, which improved its defensive and offensive capabilities technologically. Though, a minimum deterrence strategy is followed by Pakistan in nuclear and conventional fields according to threat situation. Moreover, Pakistan is trying to balance the situation in region according to minimum deterrence strategy when strategic balance is disturbed. Through quantitative increase in war heads and systems of delivery, further, Pakistan tries and attempts to robust the capability of second strike.

8. Conclusion

The USA policy in South Asia is that wanted to maintain its hegemony by solving the world affairs directly and prevent major powers to challenge its power. But most of countries dislike the USA strategies by which it solved the problems like European Union has continued a secure way to develop its own policies and solve their affairs by itself. The basic reason behind this deal that United States has an interest in balancing China's expansion in Asia so nuclear deal with India is one of the best step takes by USA to balance the china in this region. China's increases its national power by improving their military capabilities that is a big challenge for single superpower. This is the way in which states challenge to the status quo in international power structure. USA and China have economic ties but there many strategic and political issues that have weakened their old relationship.

According to the Christensen, China's new strategies and weapons can pose a problem for American interest and these problems increase India's importance in strategic matters of United States. Same as India has been secure USA support for maintaining its position in South Asia and Indian Ocean. USA considered India as friend in South Asian region for its own interest to maintain super power status. India and USA have same objectives against China's growing power and influence in region and also world affairs. India considered China as strategic adversary and USA considered as a strategic competitor. Therefore, India's position within the region would grow with USA support. If USA decides to step back from South Asia in future, it would leave India as watch dog in the region.

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