



INDO-US-RELATIONSHIP IN THE LIGHT OF CTBT AND PATENT LAWS

Subodh Kumar

Senior Lecturer, Deptt. Of the History,
Gopeshwar College, Hathwa , J.P.University Chapra.

ABSTRACT :

The US sees its relations with India as central to maintaining long-term, stability in Asia and in fighting terrorism terrorism has not only created concerns for the U.S. but its impact can be visualized globally. And no doubt India can play an active role in combating terrorism. The transformation of India military relationship is essential to achieving these goals. Independent India, under Prime Minister Nehru, was determined to keep away from the cold War. Nehru chose a middle path, which subsequently came to be known as non-alignment. The non-alignment refers to an independent policy adopted by a country while keeping away from the power blocs. It is distinct from neutrality which means keeping away from international politics. As early as 1947 in a note to India's Ambassador designate to China, K.P.S. Menon, he wrote; Our general policy is to avoid entanglement in power politics and not join any group of power as against any other group. The two leading groups today are the Russian Bloc and the Anglo-American Bloc. Yet not join either. Both America and Russia are extraordinarily suspicious of each other as well as of other countries. This makes our path difficult and we may well be suspected by each of leaning towards the other. This cannot be helped.

KEYWORDS : fighting terrorism , independent policy , power politics.

INTRODUCTION :

Consequently, India under Nehru pursued a globally oriented foreign policy while trying to maintain a careful distance between the power bloc of the East and West. Its stand on disarmament anticolonialism and world peace won for India the respect of the newly independent countries of Asia and Africa, gratified that one of them could speak on equal terms with the two great achievement for India. With this foreign policy India won the heart of the world community. It was also a source of satisfaction for Indian nationalists who viewed it as final proof that Independence had truly been won. India certainly is as an emerging ratio and its urge for power is growing tremendous in the recent couple of decade riding on the lorry of global financial regime change and the domestic growth of economy. It is recontextualizing its role and the change of positioning from a neutral idealist foreign policy towards a realist and pragmatic policy.

There are many irritants between the India-US relationship. Among them CTBT and patent laws are our major concern. On the issue of nuclear weapons, while India consistently championed the cause of nuclear disarmament, there would appear to be a tacit acknowledgement that such a goal was unattainable. Realising that Status that nuclear weapons accorded to the major powers, India demonstrated the world its nuclear capability by exploding a nuclear device in 1974. It could be argued that the 1998 nuclear tests were carried out to establish India as a nuclear power before the comprehensive Test Ban Treaty (CTBT) came into force. As a result U.S. imposed wide ranging sanctions like end all U.S. assistance to India except humanitarian aid, Bar the export of certain defence and technology material, End U.S. credit and credit guarantees to India and require the United States to Oppose lending by international financial institutions to India, which borrowed about \$1.5 billion from the world Bank last year Again, President Clinton said, "It is imperative that we make clear our categorical opposition. We will ask other countries to do the same" was recognition of India's new found status after its nuclear tests, that is, India was now a major power because of its nuclear capacity. A more plausible explanation is that it was a consequence of the realisation that India's nuclear capability could not be reversed. The U.S. is India's largest investor.

India as one of the big power of Asia has always welcomed all the steps taken by the world community in the field of disarmament. India's stand on the comprehensive Nuclear-Test-Ban treaty (CTBT) too is a principled one. India has declared that it would be unable to sign and ratify the CTBT in its present discriminatory form. However, India has pledged to continue with its voluntary and unilateral moratorium on further nuclear testing. India is the only nuclear weapon state to declare that it believes its security would be enhanced, not diminished, in a world free of nuclear weapons. Also India's nuclear doctrine can be summarized as follows- A posture of "No FIRST USE" nuclear weapons will only be used in relation against a nuclear attack on Indian territory or on Indian forces anywhere; Nuclear retaliation to a first strike will be massive and designed to inflict unacceptable damage.

The history of Patent law in India start from 1911 when the Indian patents and Designs, Act, 1911 was enacted. The present Patents Act 1970 came into force in the year 1972, amending and consolidating the existing law relating to Patents in India. The government of India is a signatory on several international trade agreements and has taken steps towards strengthening IP by enacting legislation that protects intellectual property rights India has made positive statements on the need to introduce a stronger IP environment and has undertaken IP reforms especially in the Pharmaceutical industry. There are three recommendation we make to narrow difference on intellectual property rights between the United States and India. 1. IP is an international issue, so it is critical to continue to keep the dialogue open between the United States and India through summits, forums and task forces. 2. Developing and enforcing domestic legislation for intellectual property protection is key. 3. To create a welcoming environment for innovators and encourage them to develop new products for the market place, the governments should encourage patenting so that Indian innovators could reap the financial awards resulting from their creativity.

India-U.S relation remains critical for the shaping of world order in the 21st century. In order to realise the full potential of relations, the two governments must now strive to

complete the unfinished agreements and set the course for a comprehensive strategic Global Partnership.

REFERENCES: -

- 1- CIA World Factbook India Page
- 2- U.S. Census Bureau Foreign Trade
- 3- Office of the U.S. Trade representative.
- 4- History of U.S. Relations with India.
- 5- Export gov. international office Page.