

No. 5394

**UNITED STATES OF AMERICA
and
INDIA**

Exchange of notes constituting an agreement relating to a grant of certain nuclear research equipment in the field of agriculture. New Delhi, 22 April and 13 June 1960

Official text: English.

Registered by the United States of America on 22 October 1960.

**ÉTATS-UNIS D'AMÉRIQUE
et
INDE**

Échange de notes constituant un accord relatif au don d'un matériel de recherche nucléaire dans le domaine de l'agriculture. New Delhi, 22 avril et 13 juin 1960

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 22 octobre 1960.

No. 5394. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND INDIA RELATING TO A GRANT OF CERTAIN NUCLEAR RESEARCH EQUIPMENT IN THE FIELD OF AGRICULTURE. NEW DELHI, 22 APRIL AND 13 JUNE 1960

I

The American Embassy to the Ministry of External Affairs of India

No. 695

The Embassy of the United States of America presents its compliments to the Ministry of External Affairs and has the honor to refer to the note from the Ministry dated February 22, 1960,² concerning a possible grant to the Government of India of certain nuclear research equipment in the field of agriculture and to inform the Ministry of External Affairs that approval has now been given for the grant of the gamma irradiation and fly sterilization facility and the related equipment referred to in the Ministry's note.

The Embassy has the honor to propose the following understandings on the basis of which this equipment is to be transferred :

1. The equipment shall be used for peaceful purposes only.
2. The Government of India will defray the cost of removing the equipment from its present site and meet all costs of transportation, insurance while in transit, installation, operation and maintenance of the equipment thereafter.
3. Copies of technical publications deriving from the use of the equipment and information resulting from research with the equipment will be provided to the Government of the United States currently.
4. The cobalt source, which is included in the equipment to be presented to the Government of India, may be harmful to persons and property unless handled and used carefully. Accordingly, the Government of India will indemnify and save harmless the Government of the United States of America against any and all liabilities from any causes whatsoever (including third party liability) which may result from the use of the cobalt source or other equipment provided under this grant.

¹ Came into force on 13 June 1960 by the exchange of the said notes.

² Not printed by the Department of State of the United States of America.

If these understandings are acceptable to the Government of India, this note and the reply of the Ministry of External Affairs concurring therein shall constitute an agreement between our two Governments, which shall enter into force on the date of the reply of the Ministry of External Affairs.

The Embassy takes this opportunity to renew the assurances of its highest consideration.

Embassy of the United States of America
New Delhi, April 22, 1960

II

The Ministry of External Affairs of India to the American Embassy

MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

No. F.73 (57) - AMS/59

13th June, 1960

The Ministry of External Affairs present their compliments to the Embassy of the U.S.A. and have the honour to refer to the Embassy's Note No. 695 dated the 22nd April, 1960, concerning the grant to the Government of India of certain nuclear research equipment in the field of agriculture.

The Government of India accept the equipment on the following understandings :

- i) In accordance with the Government of India's policy not to use atomic energy for military purposes, the equipment shall be used for peaceful purposes only.
- ii) The Government of India will defray the cost of removing the equipment from its present site and meet all costs of transportation, insurance while in transit, installation, operation and maintenance of the equipment thereafter.
- iii) Copies of technical publications deriving from the use of the equipment and information resulting from research with the equipment will be provided to the Government of the U.S.A. currently.
- iv) The Government of India will indemnify and save harmless the Government of the United States of America against any and all liabilities from any causes whatsoever (including third party liability) which may result from the use of the cobalt source or other equipment provided under this grant.

The Government of India agree that the Embassy's Note of the 22nd April, 1960 and this reply shall constitute an Agreement between the two Governments which shall enter into force as from today.

The Ministry of External Affairs take this opportunity to renew to the Embassy of the U.S.A. the assurances of their highest consideration.

(*Initialed*) [illegible]

[SEAL]

The Embassy of the U.S.A.
New Delhi