

International Atomic Energy Agency
INFORMATION CIRCULAR

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INFCIRC/433/Mod.1
November 1994

GENERAL Distr.
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**AGREEMENT WITH THE GOVERNMENT OF INDIA
FOR THE APPLICATION OF SAFEGUARDS TO ALL NUCLEAR MATERIAL
SUBJECT TO AGENCY SAFEGUARDS UNDER INFCIRC/154,PART I
AND THE AGREEMENTS BETWEEN INDIA AND THE IAEA CONTAINED IN
EXCHANGES OF LETTERS DATED 1 OCTOBER AND 1 DECEMBER 1993**

**Amendment
Exchange of Letters dated 22 August 1994**

1. The text of the Exchange of Letters, constituting the amendment to the Agreement with the Government of India for the Application of Safeguards to all nuclear material subject to Agency safeguards under INFCIRC/154, Part I, and the Agreements between India and the IAEA contained in Exchanges of Letters dated 1 October and 1 December 1993, is reproduced in this document for the information of all Members. The amendment to the Agreement was approved by the Agency's Board of Governors on 12 September 1994.
2. The amendment to the Agreement entered into force, pursuant to the Exchange of Letters, on 12 September 1994.



INTERNATIONAL ATOMIC ENERGY AGENCY
AGENCE INTERNATIONALE DE L'ENERGIE ATOMIQUE
МЕЖДУНАРОДНОЕ АГЕНТСТВО ПО АТОМНОЙ ЭНЕРГИИ
ORGANISMO INTERNACIONAL DE ENERGIA ATOMICA

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IN REPLY PLEASE REFER TO:
PRIERE DE RAPPELER LA REFERENCE:

DIAL DIRECTLY TO EXTENSION:
COMPOSER DIRECTEMENT LE NUMERO DE POSTE:

22 August 1994

Sir,

I have the honour to refer to your letter of 18 August 1994 referring to the Safeguards Agreement (hereinafter referred to as "the Agreement") between the Government of India and the Agency reproduced in Agency document INF/CIRC/433 of May 1994. In your letter, you advised the Agency of India's proposal to bring under the purview of the Agreement nuclear material to be supplied to India by another State for use in the Tarapur Atomic Power Station (TAPS), which material is required by the supplier to be subject to safeguards. You further requested the Agency to initiate the formalities necessary to achieve this by September 1994.

To this end, I propose that the following amendments be made to the Agreement:

1. In Section 4(a), add the following as sub-paragraph (i)(bis):

"(i)(bis) Nuclear material supplied by any State to India for use in the Tarapur Atomic Power Station (TAPS), which material is required by the Supplier State to be subject to safeguards;"

2. Add the following new Section 4(bis) under the heading "Notifications":

"Section 4(bis)

(a) India shall notify the Agency of the receipt of any nuclear material referred to in Section 4(a)(i)(bis) within two weeks of its arrival in India. The notification of such transfer may also be made by the Supplier State, or by the Supplier State jointly with India. The Agency may also request information from the Supplier State in connection with such transfers of nuclear material.

(b) Upon receipt of the notification from India, or upon confirmation by India of the receipt of such nuclear material notified to the Agency by the Supplier State, the Agency shall list the nuclear material in the

Main Part of the Inventory and shall inform India and the Supplier State accordingly.

(c) Each notification shall include the nuclear and chemical composition, physical form and the quantity of the supplied nuclear material as per shipper's data, the date of shipment, the date of receipt, the identity of the consignor and the consignee and any other relevant information. This notification shall be followed by a confirmation of the exact quantity and composition of the supplied nuclear material as jointly determined by India and the Supplier State. India shall inform the Agency in advance, so that it may be represented at the joint determination.

(d) Upon receipt of the confirmation referred to in (c) above, the Agency shall correct the Inventory accordingly and so inform India and the Supplier State."

3. Add the following as paragraph (a)(bis) in Part I of the ANNEX:

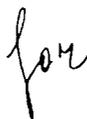
"(a)(bis) Nuclear material supplied by any State to India for use in the Tarapur Atomic Power Station, which material is required by the Supplier State to be subject to safeguards;"

I have the honour to propose that India and the IAEA agree to amend the Agreement by including therein the provisions set out above. Should you accept this proposal, this letter and your affirmative reply would, subject to approval by the Board of Governors of the IAEA, constitute an amendment of the Agreement, to enter into effect on the date of approval of this exchange of letters by the Board of Governors of the IAEA.

Accept, Sir, the assurances of my highest consideration.



Hans Blix
Director General



H.E. Mr. Kamal Nain Bakshi
Ambassador
Resident Representative of India to the IAEA
Kaerntner Ring 2/2nd Fl.
1010 Vienna



भारत का राजदूत, वियाना
AMBASSADOR OF INDIA, VIENNA

No. VIEN/110/13/93-II

August 22, 1994

Sir,

I have the honour to refer to your letter of August 22, 1994 which reads:-

Quote

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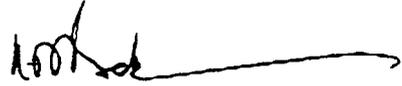
Hans Blix
Director General

H.E. Mr. Kamal Nain Bakshi,
Ambassador
Resident Representative of India to the IAEA,
Kaertnerring 2/2nd Fl.
1010 Vienna

Unquote

2. The Government of India agrees to the amendments proposed in your letter of August 22, 1994.

Accept, Sir, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'K.N. Bakshi', with a long horizontal flourish extending to the right.

(K.N. Bakshi)

H.E. Dr. Hans Blix,
Director General,
International Atomic Energy Agency,
Vienna International Centre,
Vienna