

# Promoting Nepalese Trade and Investment Relations with India and China



Ministry of Foreign Affairs, MoFA



पराह मासिना अख्यान प्रतिष्ठान  
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# **Promoting Nepalese Trade and Investment Relations with India and China**

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# Acronyms

ADC	Additional Duty of Customs
AQSIQ	Administration of Quality Supervision, Inspection and Quarantine
ATC	Agreement on Textile and Clothing
B2B	Business to Business
BIMSTEC	Bay of Bengal Initiatives for Multi-Sectoral Technical and Economic Cooperation
BOI	Board of Investment
BRP	Business Recovery Plan
CII	Confederation of Indian Industry
CNI	Confederation of Nepalese Industries
CVD	Countervailing Duties
DFTP	Duty Free Tariff Preferences
DG	Director General
FDI	Foreign Direct Investment
FICCI	Federation of India Chambers of Commerce and Industry
FNCCI	Federation of Nepalese Chambers of Commerce and Industry
FTA	Free Trade Agreement
G2B	Government to Business
G2G	Government to Government
GATS	General Agreement on Trade in Services
GATT	General Agreement on Tariffs and Trade
GCC	Gulf Cooperation Council
GDP	Gross Domestic Production
GSP	Generalized System of Preferences
ICD	Inland Clearances Depots
ICP	Integrated Check Post
ICRIER	Indian Council for Research on International Economic Relations
ICT	Information and Communication Technology
IFA	Institute of Foreign Affairs
IGC	Inter-Governmental Committee
IGSC	Inter-Governmental Sub-Committee
IT	Information Technology
JV	Joint Venture
LDC	Least Developed Country
MCSI	Micro, Cottage and Small Industries
MFN	Most Favored Nation
MOU	Memorandum of Understanding

NBSM	Nepal Bureau of Standards & Metrology
NPC	National Planning Commission
NRN	Non Resident Nepalese
NTIS	Nepal Trade Integration Strategy
NTTFC	National Transport and Trade Facilitation Committee
NTTFC	Nepal-Tibet Trade Facilitation Committee
OECD	Organization for Economic Co-operation and Development
PDNA	Post Disaster Needs Assessment
SAFTA	South Asian Free Trade Area
SAIC	State Administration for Industry and Commerce
SAPTA	South Asian Preferential Trade Agreement
SFDA	State Food and Drug Administration
SME	Small & Medium Enterprises
SPS	Sanitary and Phyto Sanitary
SSR	South Silk Road
TAR	Tibet Autonomous Region
TBT	Technical Barriers to Trade
TEPC	Trade and Export Promotion Center
UNCTAD	United Nations Conference on Trade and Development
UP	Uttar Pradesh
WBG	World Bank Group
WIR	World Investment Report
WTO	World Trade Organization

# Preface

Nepal needs to reflect on the massive paradigm shift that the country has undergone in the political, social and cultural life of the people and frustrated expectations of the masses may create massive negative social upheavals if the new political set up and government could not match the expectations of the people for enhanced prosperity based on economic growth.

We no more talk about us being 'yam between two boulders but 'a vibrant bridge between two neighbors' and our attitude has changed from being 'India-locked to India-open'. By keeping our house in order, particularly having political stability and political commitment, rule of law, better investment environment, we can find a way for a "win-win-win" for all three partners: Nepal, India and China, who can cooperate to establish transit links, communication links, and manufacturing in Nepal and it can move forward for integration using comparative advantage of each country.

Nepal, as is in between two giant economic neighbors, has great potential for trade and investment. Nepal can mobilize its immense resources such as water and other natural resources including our youth population bonanza. It also has comparative advantages for bilateral trade and investments as a transit hub between India and China.

The membership with WTO has provided opportunities to Nepal for strengthening trade and investment. Similarly, Nepal's activism in regional initiatives such as SAARC, SAFTA, BIMSTEC has encouraged us to go for trade integration regionally and globally.

Nepal needs to attract investment and boost trade by making aware the investors and business communities of our neighbors by highlighting that Nepal is liberal on foreign investment and allows 100% foreign ownership in most of the sectors of economy with attractive investment rules and procedures, relatively low tax rates, open and liberal export and import rules and procedures, low labor costs and an increasingly literate population, existence of immense source of hydropower and minerals, reforms in relevant major laws and regulation etc.

Nepal has had major investment boost recently from both our neighbors. Chinese became our top foreign investor and offered more than a fourfold increase in assistance from the existing 150 million RMB to 800 million RMB for 2015/16. China has accepted and encouraged Nepal as an economic bridge between China and India and beyond to whole of South Asia. Nepal

needs to focus on developing the physical infrastructure such as roads and railways to ensure investments from both neighbors. However, Nepal's trade with both the neighbors is heavily skewed towards imports. Nepal's exports could meet only 15 percent and 2.5 percent of the imports from India and China respectively (FY2013/14). Maintaining complementarities is thus a big issue for sustaining Nepal's trade with these two fast growing neighboring economies. The economic history of Nepal reveals that.

Nepal needs to focus on products of comparative advantages like cement, high value agricultural commodities and non-timber forest products as Nepal's export potentials in addition to water and tourism resources.

India has been its single largest trading partner from the ancient and medieval to modern times. There are many areas where Nepal and India could work together to enhance the trade in goods and services. Services, tourism and hydropower are some of the potential areas where Nepal needs to build its supply capacity for increasing exports. Another area would be intra-industry trade where arrangements could be made to source intermediary products from Nepal for large manufacturing units in India. This is something that Nepal should seek to achieve with its neighboring countries. The investment paradigm needs to be further enhanced and nurtured in order to enhance the growth of export trade. The government and businesses need to work together to promote investment by organizing road shows highlighting the investment projects, holding discussions and interactions on the means and measures of funneling more investment into Nepal and creating synergy through collaboration and cooperation between potential investors from both sides of the border. The role of the government should mostly confine to facilitation and regulation, and creating a conducive environment for investment and doing business.

Against this backdrop, a study was commissioned by Ministry of Foreign Affairs through the Institute of Foreign Affairs to bring about the status of trade and investment of Nepal and take stock of challenges in the light of emerging economies, India and China, which are also contiguous neighbors of Nepal with a view to put forward suggestions to the government of Nepal on ways and means to enhance our trade with our friendly neighboring countries and increase investment from these countries including flow of tourists and FDIs. It is expected that the outcome of this study would assist the policy makers of Nepal to consolidate ongoing activities adjust to realities, where necessary, and also design new programs to fully utilize the potentials and opportunities that India and China provided. It is also expected that the proposed study highlights the advantages to Nepal benefiting from their economies and

harnessing Nepal's potentialities for higher growth and economic prosperity. It is of utmost importance that apart from attracting investment in the areas of comparative advantages such as hydropower, tourism, medicinal herbs etc., Nepal has ample opportunities to grasp their rising huge markets.

The objectives of the study were to undertake a research study on the trade and investment status including challenges and policy and practices of Nepal vis a vis India and China, and develop a report with doable recommendations on policy implications and action plan towards ways and means to implement those suggestion. This research is funded by Ministry of Foreign Affairs, Government of Nepal.

This study was undertaken by former Secretary of Commerce and Supply Ministry of Nepal Government, Mr. Purushottam Ojha who is an authority on the subject. The report was shared with the Hon. Minister of Foreign Affairs and relevant government and business community and their suggestions have been incorporated in the report. Institute of Foreign Affairs believes that the report will be a guideline for policy reforms for enhanced trade and investment of Nepal with upcoming economic giants China and India with whom we share our border.

**Dr. Rishi Raj Adhikari**

Executive Director

## Foreword

Nepal, as a country wedged between two big economic power houses of Asia, has immense potentials to add value to its economy by forging collaboration on transport, trade, tourism and hydropower with its neighbors. Both China and India are connected to Nepal through centuries old economic, social, cultural and religious ties traversing over the mighty Himalayas and fertile plains. Nepal not only provided transit passage of trade, business persons, monks and people of high profile between India and Tibet during the ancient and medieval period but also inspired the growth of art, architecture and culture on both sides of the borders. Before 1950, Nepal's foreign trade was virtually limited to those two neighbors. However, the traditional trade has gone into substantial transformation along with the development of modern transport and communication system and emergence of modern production process and supply chain. The barter system of trade between Nepal and Tibet, China has been replaced by the cash payment; unilateral duty free preferences were available to Nepalese goods in line with the Hong Kong Ministerial Declaration of WTO in 2005 but with no tangible benefits; duty preference available under bilateral treaty of trade with India have been eroding due to liberalization of trade and reduction in MFN tariffs. Thus, there is paradigm shift in economic and trade relations and new challenges are emerging as a result of globalization and technological developments. This provides impetus for having a fresh look over Nepal's traditional trade and investment relations with the two neighboring countries.

In above backdrop, this study commissioned by the Institute of Foreign Affairs, with the Ministry of Foreign Affairs of the government of Nepal aims at analyzing shortcomings and challenges faced by Nepal in treading the path of prosperity and development through integration of trade and economy with the neighboring countries and achieving trade led growth. Thus, the report primarily highlights the trade and investment relations between Nepal and two neighbors, analyzes existing legal and policy framework, explores issues and provides prospective and way forward for enhancing economic complementarities between Nepal and India and Nepal and China.

The author would like to thank the Institute of Foreign Affairs for providing opportunity to carry out study on this important theme. My sincere thank goes to Dr. Rishi Adhikari, Executive Director and Mr. Yadav Khanal, Resource Person of IFA for their valuable suggestions and support in improving the report. I would also like to appreciate the support received from other staffs

of IFA in availing the relevant literatures and publications. I hope this paper will provide useful information to all readers, researchers and scholars who are interested to dig into the problem and prospects of Nepal's economic relations with her neighbors.

**Purushottam Ojha**

Former Secretary, Ministry Commerce & Supply

Government of Nepal

## Background

The history of international trade dates back to ancient periods that started with barter system and later was replaced by the mercantilist trade in the 16th and 17th centuries. The 18th century saw the shift towards liberalism as Adam Smith, the father of economics wrote the famous book on Wealth of Nations in 1776. Adam Smith focused on importance of specialization in production while David Ricardo in the beginning of 19th century propounded the theory of comparative advantage which argues for production and exchange of the specific products having cost advantages to a particular country or territory. Based on these neo-classical trade theories, countries in the 19th century and till the beginning of 20th century moved towards economic liberalization wherein customs duties were lowered, quantitative restrictions abolished, currencies were made convertible with gold and people were allowed to move freely for running trade and business activities. International trade during those years was centered to European countries and America as these countries made debut on increasing industrial outputs as a result of industrial revolution.

The aftermath of First World War in 1915 changed the entire course of trade as countries started taking protective measures to reconstruct the economy from the ravages of war. This caused contraction in the international trade. Meanwhile, the global economies once again become hostage to economic depression of 1930s that led rise in import duties, imposition of quantitative restriction, import control and licensing. This trend continued until countries around the world embarked upon the new initiatives of shaping the global economic architecture in the aftermath of second world war (1939-45) with the establishment of Breton Wood Institutions. Thus, there is a continuous shift in the global trading system as the journey started from GATT-1947 to the establishment of a more liberal trading system under the auspices of World Trade Organization (WTO). In the 21st century, more developing countries, particularly the G20 countries have made a strident surge toward enhancing their share in the global market.

The international trade of Nepal, till 1950 was confined with the neighboring countries India and the Tibet Autonomous Region (TAR) of China, with the prevalence of barter trade with the later that continued further until the first half of the last decade. Almost all foreign trade of Nepal till 1950 was concentrated with India which ran to 90 percent during the 1950-70. This gradually shifted towards the third countries since 1970 till 1995 as the share of trade with India remained stagnant while the trade with rest of the world

started growing at an accelerated pace with a reversal in the direction of trade. The reasons behind this includes; growth of manufacturing industries in Nepal- various industries in the public and private sector were emerging to help diversification of export; GSP facilities provided by the developed countries in most of the export items of the least developed countries encouraged export of woolen carpets and handicraft and quota on garment under the Agreement on Textile and Clothing (ATC), thus made it possible to export garments and apparel from the country like Nepal. The signing of separate treaty of transit in 1978 also helped to build third country trade of Nepal as this facilitated the transit movement of goods through India. On the other side, the duty free access to Nepalese goods in the Indian market were constrained due to the stringent rules of origin criteria requiring domestic content of 90 percent in 1960 then gradually reduced to 50 percent in 1991 which was difficult to materialize due to the weak resource base of Nepal.

This scenario was reversed again after 1996 when Nepal and India made an amendment to the Protocol-V of the treaty of trade allowing the duty free market access to the Nepalese products based on the certification provided by the designated authority of the government of Nepal. The new arrangements made in the treaty triggered the flow of investment of multinational companies into Nepal and subsequent rise in the volume of export. This trend of leap-frog growth of export continued until the bilateral treaty was amended in 2002 with the introduction of new rules of origin criteria, tariff rate quota and canalization of some products.

Nepal and China maintain a very long history of bilateral relation that dates back as early as 406 AD and commemorates the visit of a Chinese monk Fa Xian to Nepal and India. The cultural and social bonds are reflected in the matrimonial relations between the royalties of Nepal and Tibet Autonomous Region (TAR) of China as the Tibetan monarch Srong-Chan Gam Po married Nepalese princess Bhrikuti in the Seventh century and the famous Nepalese architect Arniko pioneered the construction of white pagoda temple in Beijing in the 14th century. The trade relations between Nepal and TAR flourished during the Malla rulers of Nepal and continued further during the latter part of eighteenth century. Nepal held the strategic position of facilitating transit trade between British India and Tibet-China. Trans-Himalayan trade was important both for Tibet and British India during those times. Thus, many trade delegations and the visit of Buddhist monks between the two countries used to take place through the territory of Nepal (Sharma-2009).

Nepal's trade relation with China is guided by a number of bilateral agreements and understandings. These are; Trade and Payment Agreement-1981,

Agreement on Road Transportation-1994, Agreement on Trade and other Related Matters-2002, MOU on Establishment of Nepal-Tibet Trade Facilitation Committee-2009, Letter of Exchange for granting Special Preferential Tariff Treatment-2010, and Cooperation on Developing Border Infrastructures-2012. The quantum of economic cooperation and trade between Nepal and China has been increasing over the past one and half decade.

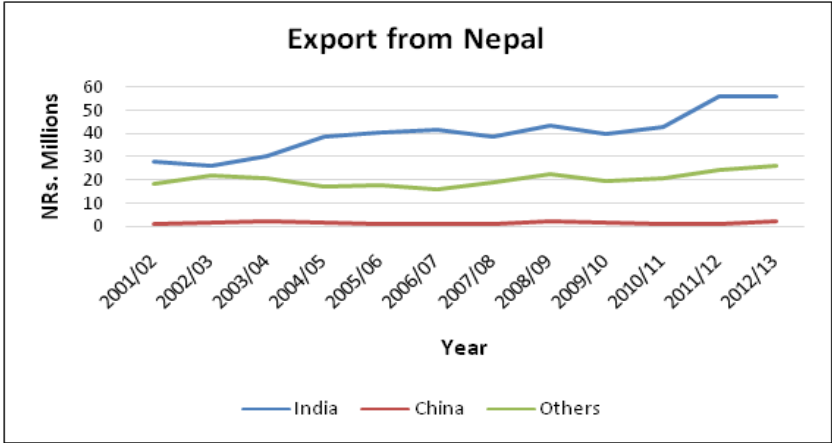
### **Direction of Trade**

Nepal has been pursuing open and market based economic and trade policy since 1990s with the abolition of licensing system in export and import, allowing full convertibility of Nepalese currency in current account, reduction of tariffs, removal of para-tariffs and development of transport and border infrastructures for facilitation of international trade. Nepal became a party to South Asian Preferential Trade Agreement (SAPTA) and Free Trade Area (SAFTA) in 1995 and 2004 respectively. Similarly, Nepal joined World Trade Organization as its 147th member and also became a party to Bay of Bengal Initiatives for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) economic cooperation group in 2004.

However, the external trade of Nepal presents a bleak picture particularly during and after the last decade as the trade deficit is on the rise at an unprecedented rate. The reasons are obvious; import is at increased speed while export shows a very tepid growth. The major production sectors like agriculture, forestry and small and medium enterprises are faltering due to stagnating production, increased external competition and inadequate government support. The equal number of work force entering into labor market each year is absorbed in the foreign markets in the agriculture, manufacturing and services sectors, particularly in Gulf countries and Malaysia. Villages and townships are gradually deserted as the young folk are leaving the productive works behind to the responsibilities of the elder citizens and women. The foreign currency remitted annually by the migrant workers is largely used to pay the imports of foreign goods and services. This in one way or the other is fuelling the imports mostly on luxurious goods and unproductive items and put inflationary pressure over the supply of goods and services.

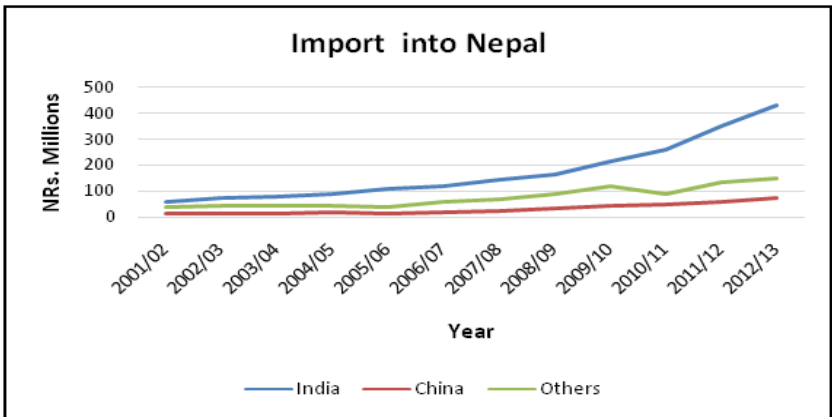
India has remained the largest trading partner of Nepal at most of the times in history, particularly before 1970 and after 1996 as two-third of the Nepalese trade in recent years is taking place with India. But, trade with China is still very much imbalanced as export to this country has averaged 2.4% while the import averaged 11.4% during the past three years (2011/12-2013/14). The

following diagram illustrates the Nepalese trade with India, China and rest of the world (ROW).



Source: Trade and Export Promotion Center

Nepalese export to India has increased at an annual average rate of 8.25 percent while it grew at the rate of 20.5 percent with China over the period of 11 years from 2002-03 to 2012-13. But in actual terms, the volume of export to China was just 2.47 billion rupees in comparison to 61.3 billion rupees in 2012-13.



Source: Trade and Export Promotion Center

Import of the goods from India has increased at an average annual rate of 21.33 percent while the goods from China increased at the average rate of

20.68 percent over the past 11 year period, as indicated above. In overall, trade deficit has expanded from 44.5 billion rupees in 2002-03 to 398.5 billion rupees in 2012-13 with India and from 9.7 billion rupees to 75.8 billion rupees in the trade with China during the same period.

Besides, the data available from Trade and Export Promotion Center (TEPC) shows that the ratio of export and import of goods has changed drastically as the export-import ratio increased from 1:2.5 in 2002 to 1:7.9 in 2014 thus depicting a dismal picture of export trade over these years. The successive trade deficit in recent years can have a negative impact on foreign currency reserve leading to macro-economic instability.

Major export commodities of Nepal comprises of woolen carpets, ready-made garments, lentils, polyester and other yarn, textile, iron and steel, handicraft items, silver jewelry, noodles, tooth paste, cardamom, ginger, tea, handmade paper, pashmina and medicinal herbs. Similarly, the import items mainly comprises of ; iron and steel, petroleum products, transport vehicles and their parts, electric and electronic goods, chemicals, machinery and parts, gold, crude palm oil and cement clinker, among others.

Besides, agricultural and medicinal herbs, manufacturing items like steel pipes and sheets, dentifrice, foot wear, Aurvedic medicines, fruit juices, cardamom and ginger are among the major export items to India meanwhile Nepalese export to China is mostly dominated by wheat flour, handicraft items, hide and skin, plant and parts of plant products, floor covering and woolen shawl. Similarly, imports from India comprises of petroleum products, agricultural goods, equipment and machinery, vehicle and parts and other consumable items; major imports from China consist of; machinery and equipments, computer and electronic goods, textile and garments, and fruits and spices. In overall, the export contains low value and labor intensive products while imports consist of relatively high value items.

A simple calculation of the terms of trade based on the trade figures of 2013-14 shows that in average per item export value, as measures of export intensity, remains NRs. 112.7 million and NRs. 5.13 million with India and China respectively. While the corresponding import intensity of these two countries comes around NRs. 113.08 million and 25.5 million. This reveals that trade with China takes place in many items with lower per unit export earnings<sup>1</sup> .

1 *The export and import intensity has been calculated by dividing the total value of export and import by the number of items exported and imported in a particular year. In this case, export and import data of F.Y 2013-14 were considered for calculations.*

## Investment Scenario

Department of Industry data (2012-13) shows that total numbers of FDI Projects in Nepal were 2652 with a total investment of 216,091 million rupee that provides employment to 181,051 people. Majority of these industries are in services sector (845) followed by manufacturing (827), tourism (714), agriculture and forestry based (118), energy (57), minerals (48) and construction (43).

Of these, the Indian investment comprises of 566 industries (21 percent) with a total investment of 75,800 million rupee (35 percent) and employment to 61632 people (34 percent of total FDI projects). The number of projects/industries under Chinese investments are 575 (22 percent), with total capital investment of 20514 million rupee (9 percent) creating employment to 31594 people (17 percent). The third largest investment is from South Korea with a total 194 projects with total capital investment of 10735 million rupee, providing employment to 7696 people.

The total numbers of industries registered with the Department of Industry till the end of 2012-13 are 5274 with a total capital investment of 619,083 million rupee, providing employment to 458,278 people. These comprises of 614 large industries, 1254 medium and 3406 small scale industries (Industrial Statistics; DOI-2012/13).

The above statistics shows that India is the largest FDI source country for Nepal in terms of the size of investment capital and employment despite that this size in absolute terms is less in comparison to its true potentials. The Nepal-India joint venture (JV) industries like Arti Strips, Dabur Nepal, Surya Nepal and Unilever are the large exporters of Nepal. The following table shows the top ten source countries making investment in Nepal till the end of 2012-13.

**Table: Top ten countries as source of foreign direct investment in Nepal**

(In terms of value of investment)

Country	No of Industries	Total Capital (in bill. NPR.)	Foreign Investment (in bill. NPR.)	Number of Employment
India	566	75.8	37.6	61,632
China	575	20.5	10.6	31,594
S. Korea	194	10.7	6.7	7,696
USA	222	14.8	5.5	13,729
British V. Island	9	11.2	4.8	1,668

Country	No of Industries	Total Capital (in bill. NPR.)	Foreign Investment (in bill. NPR.)	Number of Employment
Hong Kong	23	10.3	3.8	3,263
Canada	31	7.1	2.6	2,107
UAE	12	4.8	2.3	1,621
Singapore	31	7.2	2.1	2,550
Spain	16	2.1	1.9	487

Source: Department of Industry.

In the global map of FDI receiving countries, China stands second in ranking after USA, with a total investment amount of 124 billion USD while India ranks 14th position with a total inflow of foreign direct investment of USD 28 billion during 2013. Meanwhile, the FDI inflow in Nepal during the year remains only 74 million USD which is higher than that of Bhutan (21 million) and Afghanistan (69 million) but less than rest of the South Asian countries (UNCTAD-2014).

China is emerging as the potential source country for the foreign direct investment as the outward FDI from China has almost doubled from 55.9 billion to 101.0 billion USD since 2008 to 2013. Indian outward investment during the same period is waning at a faster pace (hitting down to 1.7 billion in 2013 from 21.6 billion in 2008; WIR-2014) but it is likely to pick up in the wake of high economic growth that India is targeting for the next decade. The geographical proximity and growing economic engagement between Nepal and India provide inducement in attracting more FDI from India in the days ahead.

Chinese investment in Nepal is now moving towards hydropower and telecommunications from the tourism sector like hotel and restaurant and traditional medicines and health care. Meanwhile the Indian investments were concentrated in manufacturing and moving towards development of hydropower. There is immense potentiality of channeling the large size investment in manufacturing, development of infrastructures like expressway, railroads, ropeway, airports and dry-ports.

## Regulatory and Policy Framework

The domestic trade and investment policies and the policies adopted by the neighboring countries naturally shapes up the bilateral trade and investment relations between those countries. The domestic trade and

investments policies of Nepal are embedded in a number of policy papers and documents like Trade Policy-2009, Nepal Trade Integration Strategy (NTIS)-2010, Thirteenth Plan 2013-16, Industrial Policy-2010, Foreign Investment Policy-2015, and initiatives to introduce trade facilitation reform.

Trade Policy brought out in April 2009 replaced the policy of 1992. The policy attempts addressing the emerging challenges in trade sector brought out by the globalization of Nepalese trade. The main objective of this policy is to increase the contribution of trade sector in the national economy; reduce poverty and accelerate economic growth. The trade policy, besides emphasizing trade in goods, also duly recognizes trade in services and intellectual property as equally potential areas of trade sector development. The policy includes an exhaustive list of measures from institutional to legal and procedural reforms in way of creating conducive environment for trade and investment in the country. These measures and provisions are supposed to enhance country's trade internally and externally. The policy has broadly classified potential Nepalese exports into two categories; Special Focus Area and Thrust Area products. Four products are included under the special focus area, most of which have already been established in the export markets. The emerging fifteen products have been listed under the category of thrust area products (WTO-2012).

The trade policy has focused on developing north-south railway and road corridor for facilitating trade with India and China. It has further subsumed to develop special economic zones and the Inland Clearances Depots at the major border customs in North and South in order to enhance the export of Nepalese goods and facilitate trade. The review and revision of the bilateral Rail Services Agreement and the exploration of other potential ports for movement of transit traffic are also well presented in the policy document.

The Thirteenth Plan (2013-16) of the government of Nepal aims at bringing down the poverty level to 18 percent at the end of the plan with the projected annual growth of 4.5 percent in the agriculture sector. This target is also based on assumption that goods export will increase to 6 percent and combined export of goods and services to 12 percent of GDP. Besides, the plan has targeted to bring down the level of trade deficit to 20 percent from 33 percent of the GDP over a 3 year period. Export products identified in the Nepal Trade Integration Strategy-2010 is supposed to provide significant contribution to this ambitious target. Each of these products will expand the export coverage to reach at least 1 billion Rupees at the end of the plan period. Trade development strategies mentioned in the documents implies on; mainstreaming trade in the development program and harmonization

of sector specific policies, enhancing participation of the public and private sector and cooperatives, promotion of the products having comparative and competitive advantages, promotion of specific products in the value chain and mobilization of aid for trade for trade facilitation, trade infrastructure development and trade capacity building. Thus, the Thirteenth Plan focuses more on generic issues for trade development rather than enhancing export to specific countries.

Nepal Trade Integration Strategy (NTIS)-2010 charts out a possible course for the development of country's export sector over a period of three to five years together with possible capacity development actions and selected short to medium term priorities that are supportive of 'inclusive growth'. The strategy has identified four major challenges in building a competitive export sector in Nepal; first, ensuring proper market access through enhanced trade negotiation capacity, second, building domestic support institutions that can create a more business friendly environment and help the Nepalese exporters address the challenges of NTBs, third, enhancing supply side capacity for the products and services that are considered to be of export potential and fourth mobilizing overseas development assistance and aid for trade for implementing the previous three strategies. The document has identified 12 products and 7 services as the export potentials and suggested actions for their development and export promotion. The strategy is on the process of review and revision in order to make it flexible and adjustable to the changing need of market and product.

Industrial Policy-2010 aims at enhancing the contribution of industrial sector in the national economy and reducing poverty through the harmonized actions and interventions of the public, private and cooperative sector. Moreover, the policy emphasizes on increasing the export of industrial products, use of local resources, skill and raw materials in production, adoption of environmental friendly production process, effective protection of intellectual property rights and improvement of human resources skills and knowledge for creating business friendly environment. Thus, IP-2010 aims at transforming country as preferred destination for foreign direct investment (FDI).

Government of Nepal has bought out Foreign Investment Policy 2015 replacing the Foreign Investment and One Window Policy-1992. The new policy attempts to address the challenges in promoting the foreign investment through prioritizing the areas of investment, managing the investment of Non Resident Nepalese (NRN), promotion of portfolio investment, utilization of domestic capital markets, facilitation of investment in special economic zones and providing physical securities to the industries. The high level Board of

Investment (BOI) under the chair of Prime Minister has been brought under the radar of this policy. The Foreign Investment Policy aims at making the national economy competitive and dynamic by attracting the foreign capital, technology, skill and knowledge for increasing the output and export of the industrial products.

The above presents generic legislative and policy framework in the areas of industry and trade. However, specific to the neighboring countries, Nepal has concluded bilateral trade treaty with India; the latest one signed in October 2009. This is a preferential trade agreement notified in the WTO under the enabling clause while Nepal has signed two memorandums with the government of China for availing the unilateral trade preferences to almost 8000 items in six digit customs tariff headings. Nepal has concluded a number of agreements with India that has direct bearing on trade and investment engagement between the two countries. These are; treaty of transit, signed in 1991 and gradually evolving with periodic revisions, agreement of cooperation to control unauthorized trade (2009), rail services agreement, double tax avoidance treaty, motor vehicle agreement, and bilateral investment protection and promotion agreement, among others. A bilateral air services agreement has also been signed between Nepal and India in 2010 that liberalizes the air transport services for passenger as well as for cargo services. Similarly, agreement with the government of China includes; the trade and payment agreement-1981, transport agreement-1994, agreement on trade and other related matters-2002, memorandum on formation and operation of Nepal-Tibet trade facilitation committee-2009 and agreement on border post development-2012. Nepal is now developing border posts facilities in the major border crossings in the south and north with the financial and technical assistance of India and China respectively. These infrastructures will go a long way in facilitating cross border trade with the neighboring countries.

### **Issues on Trade Development**

Despite the geographical proximity, Nepal has not been able to reap benefits from the rising economic clout of its two neighbors. Both of these countries provide duty free market access to the Nepalese goods either under the bilateral trade agreements or under the unilateral tariff preferences schemes. The bordering province of Tibet Autonomous Region of China is still a small market in terms of the number of population. Mainland China is located far away and transport connectivity is the inhibiting factor for the growth of bilateral trade and investment relations. Meanwhile, highly populated states of India like Uttar Pradesh, Bihar and West Bengal are bordered with Nepal

but the export trade is restricted due to high non-tariff wall, lack of proper connectivity and regulatory barriers.

Some important issues on way of developing bilateral trade and investment relations are as follows;

### **Existing Trade Agreements with the Neighboring Countries are Losing Relevance**

The Trade and Payment Agreement concluded between Nepal and People's Republic of China in 1981 has become obsolete as this agreement is framed on most favored nation (MFN) basis and also provides the list of few tradable items between the two countries. This stands no more relevance in context of both countries as the members of World Trade Organization (WTO) are bound to provide MFN treatment on a reciprocal basis. The memorandum signed on 2010 and 2014 on availing duty free tariff preferences to Nepalese products is basically the extension of unilateral preferences extended by China to all least developed countries in line with the announcement made in Hong Kong Ministerial in 2005. This arrangement provides no special dispensation for Nepal beyond the similar preferences extended to all least developed countries.

Similarly, the preferential trade agreement with India provides duty free access to all Nepalese goods in the Indian markets, except a very small negative list. The preferences available under the treaty are being eroded as the government of India has also announced duty free tariff preferences to all LDCs around the world with some products in the negative list. Preferences available to south Asian LDCs are more attractive in comparison with the provisions laid in the Nepal-India bilateral treaty. No substantial provisions are made in the treaty for addressing non-tariff and para-tariff barriers and trade facilitation issues.

The preferences available under the bilateral agreement or unilateral preferences are thus insufficient to address the growing challenges of export development in the wake of globalization and liberalization of trade and investment regimes.

### **Non-tariff Barriers Taking Away the Benefits of Tariff Preferences**

Non-tariff barriers are the major causes behind the low performances of Nepalese trade. Lack of test laboratories at the land customs stations, non-accreditation of the Nepalese laboratories, prevalence of state taxes and various surcharges in export items are debilitating the export trade of Nepal. A burning example at the current stage is the imposition of transit fee by the

Government of UP on medicinal and aromatic plant products from Nepal while crossing their borders. Besides, the applications of additional countervailing duties over and above the normal CVD are also deterring the export of readymade garments from Nepal. Similarly the application of Additional Duty of Customs (ADC) on some products including the ready-made garments is still unresolved.

Export of agricultural products both to India and China is largely affected due to the sanitary and phyto-sanitary requirements imposed through their national legislations. Nepal-India treaty of trade in Protocol to Article II mentioned that SPS certificate issued by the competent authority of one contracting party will be accepted by the other contracting party, subject to meeting the mandatory requirement of importing country. This provides space for seeking the measures for meeting the requirement of both countries entailing to harmonization of standards, testing and certification procedures. But, these are not really translated into action. Nepalese Bureau of Standards and Metrology and the Chinese Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) signed a memorandum in 2005 for enhancing cooperation on test and certification of the industrial products. But, this agreement has not still demonstrated any results of meaningful operation. First, there are very few industrial products exported from Nepal to China and secondly, there is no vitality in implementation. A memorandum was signed between the government of Nepal and government of China in 2012 for facilitating the export of citrus fruit from Nepal but it has not yet been implemented. Agreement and understandings are full of promises but are rarely implemented.

Getting through the maze of laws, regulations and institutions is a big problem for the Nepalese exporters of agricultural and food items. There are ten laws and regulations and seven decree of AQSIQ that are relevant to China's SPS regimes. The SPS responsibilities are fragmented and distributed over five different agencies: Ministry of Health, Ministry of Agriculture, ADSIQ, State Administration for Industry and Commerce (SAIC) and State Food and Drug Administration (SFDA). Getting through these institutions and processes poses serious challenges in clearances of export.

### **Weak Production Base and Supply Side Constraint**

Nepal as a land-locked country is faced with the challenges of enhancing the productive capacity of the economy and competitiveness of export product and services. The geographical disadvantages combined with poor state of transport infrastructure and border delays have resulted in high cost of doing

business Given low level of investment in the agricultural and manufacturing sector and low economies of scale, Nepal virtually does not provide any competitive and comparative advantages products to trade with its neighbors.

Enabling investment climate is important for enhancing the production of goods and services that requires appropriate regulatory framework, rule of law, good governance and fair competition within the economy that helps in creating employment, growth and additional surplus for export. Rigidity of labor markets, sluggish industrial and agricultural growth, and weak production base, small economies of scale and inefficient factors of production has constrained the growth of export over the years.

### **Inadequacy of Transport and Border Infrastructures**

Many production areas in Nepal are scattered in small townships and hamlets, and still deprived of connection with the national road network. By the end of 2013-14, Nepal has a total of 26446 km road length of which 11197 km are bituminous, 6086 km graveled and the remaining 9163 km earthen; serviceable only during the dry period. The road density is around 5.57 km per square kilometer, less even from the standards of South Asia<sup>2</sup>. The rural roads constructed by the District Development Committee and Village Development Committees (53143 km) outnumber the length of strategic road networks under the Department of Roads but those rural roads are mostly unserviceable round the year due to lack of maintenance. Lack of connectivity has discouraged production due to constraint in supplying inputs and providing market access to the agricultural, non-timber forest products and the SME products. The development of border infrastructure is limited to four major border posts namely Kakarbhitta, Biratnagar, Birgunj and Bhairahawa, in the southern border. Two border posts in the northern border at Tatopani and Rasuwagarhi are in disarray due to the heavy damages caused by the earthquake of April and May 2015. Some other strategic border posts still lack proper physical facilities for operation. Congested spaces, lack of warehouses and parking facilities for containers and vehicles, insecure operation and choking traffic has caused delays, inefficiencies and high turnaround time for the vehicles and containers, increasing the cost of operation.

The railway network in Nepal exists in two stretches; first railway line of 52 km extends from Jayanagar (Indian station) to Janakpur. This is a meter gauge railway for the purpose of passenger movement as no trade traffic passes through this border crossing. The second railway line (Broad Gauge) passes

<sup>2</sup> GON, MOF, *Economic Survey-2072 (2015)*

through Raxaul to Birgunj ICD which has a total length of around 5 kms in the Nepalese territory with six full length rail lines built inside the ICD. This rail line serves the goods traffic mainly from gateway port and stations in India to Birgunj ICD. Domestic air transport is well developed as there are almost a dozen private air carriers and 32 short take off and landing (STOL) airstrips in various districts. No Inland Waterways Transport is yet in operation despite the three big river systems existing in the country.

### **Cost of Transport and Logistics is High**

Nepal as a landlocked country is facing high transit transportation and logistics cost. Current system of transit movement through the port of Kolkata is heavy and burdensome as emerging concept on transit transportation and technologies provide for secure, fast and reliable transit services. Enormity of documents and complex procedures followed in clearance of cargo at the seaport and hassles in transit movement combined with the inadequacy of physical infrastructures poses greater challenges in reducing the overall transaction cost. The use of Visakhapatnam port, Singhabad-Rohanpur corridor, and simplification of the procedures for rail movement (pending review and revision of rail services agreement) and simplified operation of Kakarbhitta-Phulbari corridor are important in facilitating transit traffic but yet no serious attention has been given by the governments.

Nepal ranks 108 out of 189 countries in the Doing Business Report of the World Bank-2015 which is one position higher from the overall rank in 2014. The country has progressed in the parameters of dealing with construction permits from 126 to 91 and little improvement on the indicators of registering property (from 29 to 27) but fallen back in all other parameters. In the parameter of trading across border the performance is very much dismal as the position in 2015 has fallen back to 171<sup>st</sup> from the ranking of 169 in 2014. Cost of import of a container into Nepal has been calculated to be around USD 2650 while the cost of export per container is around USD 2545 which is higher from the average South Asian cost of USD 2117.8 and 1922.9 respectively (WBG-2015).

Physical infrastructures in the northern border crossings are in a very primitive stage and needs enhancement. Narrow road over the fragile slopes frequently damages the road and bridges almost every year during the monsoon season. Lack of modern facilities equipped with the warehouses, parking space and equipments in handling the traded cargo is making the task of trade and logistics expensive and ineffective. Government of Nepal has not yet considered the transit transport agreement with the government of China.

### **Slow progress on harmonization of customs and border agency cooperation**

It has been a much debated issue at the bilateral, regional and multi-lateral forums and also reflected in the WTO trade facilitation agreement. The bilateral mechanisms between Nepal and India at the commerce secretary level and customs DG level have discussed this issue at length in the past. Limited progress were achieved in terms of harmonization of working hour and work days between cross-border customs, but the documents, work processes and regulatory mechanisms still stands in different settings. Moreover, the introduction of electronic lodging of the documents for speedy clearances of cargo and reliability of data is still under discussions, reeling under slow process. Mutual recognition of inspection, test and certification of the traded products could eliminate the need of repeating the same test across the borders. Border agency collaboration is not well defined in the bilateral trade agreement and the mechanisms built in the Nepal-India treaty of trade also does not function effectively.

The work processes, particularly the documents and procedures on border clearances on overland trade with china is not harmonized. However, the working hour has been made compatible for the workdays despite that weekend holidays does not comply with each other.

### **Erosion of Preferences Disproportionately Affected the Nepalese Exports**

Nepal has been enjoying duty free market access in India for all products, except a small negative list. Nepalese export to India substantially increased during 1996 to 2002 which is mainly attributed to the arrangement made through amendment in the protocol V to the treaty of trade in 1996. The first decade of the current century witnessed paradigm shift in the pattern of global trade triggered by removal of tariff barriers by various countries. The preferences available to Nepal under the bilateral treaty has been eroded, primarily due to reduction in MFN tariff, secondly, preferential market access provided to other free trade area partners and third on account of India's Duty Free Tariff Preferences (DFTP) schemes for least developed countries (LDCs) that came into effect in August 2008. The scheme with its full operation since April 1, 2014, allows duty-free market access on about 96 percent of India's tariff lines and 2.2 percent of the lines under preferential duties. Only 1.8 percent of the tariff lines have been retained in the Exclusion List, with no duty concession<sup>3</sup>.

India has extended tariff advantages to South Asian LDCs well ahead of trade liberalization program under South Asian Free Trade Area (SAFTA)

<sup>3</sup> *Sixth Trade Policy Review of India-2015, WTO, Geneva*

agreement. Accordingly, all the South Asian LDCs are entitled to get duty free access to Indian markets except the alcohol and tobacco products. This has necessarily dragged Nepal in competition with rest of South Asian LDCs in the Indian markets and also diluted the preferences available under the bilateral treaties. Given the low level of competitive capacity, Nepalese exporters are disproportionately affected from erosion of available preferences.

### **Ineffective Institutional Mechanisms**

Nepal-India treaty of trade has constituted the bilateral consultation mechanisms at the level of commerce Secretary and Joint Secretary, called Inter-Governmental Committee (IGC) and Inter-Governmental Sub-Committee (IGSC) and is supposed to meet at least once in a six month period. The meeting of IGC and IGSC is already overdue by one and half year. Given the number of issues cropping up for various exportable and processes, it is very much important to maintain the regularity of the meetings to get the problems addressed before it is too late. The institutional arrangements made under the bilateral treaty of trade are not functioning very much effectively. Some crucial issues like the CVD on readymade garments, requirement of country of origin for transited goods and review of the Rail Services Agreement could be settled without much chorus of wrangling if the consultations were held as frequently as provisioned in the bilateral agreement.

The current coordination mechanism is mostly limited to central level and no effective sub-national level mechanism has been construed to discuss the trade and economic cooperation issues.

Nepal and China concluded an agreement in September 2009 that established the Nepal-Tibet Trade Facilitation Committee (NTTFC). This committee was mandated to coordinate and facilitate cross-border overland trade between Nepal and Tibet, China. But, this coordination body has not yet been able to make any tangible accomplishment, following its terms of reference stated in the agreement.

### **Dealing with Informal Trade**

Informal trade has been a part of life in the border area. Whenever, the cost of compliance for formal trade is high, people normally resort to taking the second route of informal trade that is impacting the revenue of both governments and inviting some other social problems as well. Surveillance over a long stretch of open area along the international border is a difficult task which has become more complicated due to closer and almost merging settlements across the Nepal-India border. As a result, the volume of informal trade is high and mostly unaccounted for. A survey done by ICRIER in 2000 reveals that food items mainly rice and pulses, consumer goods namely,

salt and cosmetics, textile and ready-made garments are normally traded informally from India to Nepal while electronics items, beetle nuts, and consumable items are traded informally through Nepal to India. Similarly, electronic goods, toys, textile and garments are informally traded from China while the medicinal herbs and plant products like Cordyceps, Chiraito, Buddha Chita, and Rudrakshya are traded informally from Nepal to China. There is no systematic study done to assess the volumes of informal trade taking place on both sides of the borders.

### **Prospects and the Way Forward**

The potentials of Nepal-India trade and economic cooperation can be unleashed at three fronts. First, the existing agreements that serve the trade in goods should get a focus from new perspectives of increasing intra-industry trade, commercialization of production and quality enhancement of the products that requires addressing non-tariff barriers, increasing transport connectivity and implementing trade facilitation measures. Secondly, focus should be given on energy trade through development of hydro-power that requires creating a favorable investment climate in the country and thirdly, there should be collaboration for promoting the services sector, particularly tourism, education, health and ICT. This also requires creation of favorable investment climate for commercial presence under mode-3 of GATS and promotion of cross border consumption by the people (Mode-2) of each other country.

Despite that government of China provides zero duty treatment, the preferences largely remains unutilized due to supply side constraints, high production cost, low competitiveness and prevalence of host of non-tariff barriers. Besides, limited banking services, export concentration in Tibetan markets and limited promotional measures are the causes behind the poor performances of Nepalese export to China (Shakya-2014). Thus, export performances depends upon a number of factors like; minimizing transaction cost, enhancing FDI on export oriented industries, changes in industrial structure, market diversification other than Tibet (TAR), and concessional financing for industrial infrastructures are considered important elements for export development.

Both India and China provide potential markets for large range of export products from Nepal. Both countries are big markets vied by other exporting countries from around the world. The total volume of import into China in 2011 was 1.7 trillion USD which increased to 1.95 trillion USD in 2013. Similarly, the total merchandize import into India in 2011 was 369.8 billion that increased

to 450.2 billion in 2013. The share of Nepalese export in comparison to the total import of these two countries are negligible and provides opportunities for growth if right kind of policies are pursued.

Both India and China form the good sources for outflow of foreign direct investment despite that China is far ahead than India in making investment abroad. Meanwhile, China is reinforcing its role to become an important source of FDI as the outward flow of investment from China remained 70.1 billion USD in 2012 and large portion of this was funneled to Hong Kong (46.5 billion USD). For a country like Nepal, where the total FDI inflow is around 950 million USD till the end of 2012-13, both emerging economies in North and South could make inroads for enlarging investment in manufacturing, infrastructures, agriculture and services sectors.

Some important initiatives to enhance economic and trade integration with the neighboring countries are outlined below:

#### **Review and Revise the Bilateral Treaties**

The fundamentals of treaty of trade and transit with India are inherited from the provisions made in 1978 and no substantial changes have taken place in the treaties except some changes on its protocol or memorandum. The treaty of trade basically focuses on tariff concessions which are now superseded by the provisions of SAFTA agreement and consequently many provisions of the bilateral treaty have become irrelevant. Similarly, the provisions enshrined in the Almaty Program of Action-2003, Vienna Program of Action-2014, and WTO trade facilitation agreement has necessitated reviewing the provisions of treaty of transit framed back in 1991. The technological innovation and conceptual changes over the philosophy of trade and transit has infused the elements of dynamism in the methods of international trade. The treaty should be able to embrace the adaptation of these innovations and not confine to the rhetoric of tariff preferences and conventional wisdom of transit.

Duration of these treaties is limited to a time frame of seven years. Each time there are negotiations before renewal of the treaties; particularly in case of transit treaty, provisions are often amended which signal a sense of insecurity and unpredictability to the entrepreneurs and potential investors. The agreements should be for fairly long period, preferably perpetuating until modifications are warranted, that ensures goal of achieving further integration of the economies.

Stringent rules of origin criteria, combined with the increased SPS and TBT barriers offset the potential benefits of export trade. Enhancing customs cooperation and transport connectivity and addressing non- tariff barriers

are important measures to effectively connect markets on both ends. These complementary measures are needed to promote cross border trade in goods while there should be a concerted effort to enhance cooperation on trade in services, and investment that could be leveraged for containing the looming trade deficit. This requires navigating the trade agreements to the comprehensive package from simpler regime that requires considerable efforts targeting the non-tariff issues, trade capacity building, investment, trade facilitation, registration and protection of intellectual property rights (IPR) and simplified rules of origin criteria and even product specific rules whenever it is so warranted.

The unilateral trade preferences available under the Zero Tariff Scheme of China remains largely unused as the non-tariff issues, transport connectivity, transparency of the rules and regulations are not part of memorandum signed between Nepal and China. The rules of origin criteria are more stringent and difficult to qualify by all export potential products from Nepal.

Joint efforts in increasing production and output create synergy and induce bilateral trade. There should be exploration to the possibility of increasing intra-industry trade and creating a production network along value chain between Nepal and the bordering states of India or the TAR of China. Nepalese and Indian companies, in particular, should consider long term partnership for integrating their production process. For example, there is potentiality of making investment in the development of high value agricultural commodities and the non-timber forest products that in turn provides raw materials for the industries either located in Nepal or in India. Similar industrial cooperation could be sought in other sectors like production of ready-made garments, light engineering goods, wool products and IT services. This type of provisions should be duly acknowledged and accommodated in the revisions of treaty of trade.

### **Consider Negotiating Bilateral FTA with China**

China has concluded 12 FTAs with over 20 States and regions. It is currently negotiating FTAs with the Gulf Cooperation Council (GCC) countries, Australia, Norway, the Republic of Korea, and Japan.

China provides duty free market access to the LDCs for more than 90 percent of products in six digits CTH classifications. Nepal is also a beneficiary country under the scheme but not able to harness benefits as there are inherent issues in realizing the export opportunities. Nepal should consider negotiating a bilateral free trade area/preferential trade agreements that not only covers duty preferences but also support Nepal's supply capacity

to enter into Chinese markets with Nepalese goods and services. Such an agreement should consider including investment, SPS support measures and trade facilitation activities that help in building the national capacity.

### **Promote Trilateral Cooperation on Transit, Transport and Energy**

India and China are more than ever engaged in the bilateral economic and trade cooperation in the past decade and half. The bilateral trade between these two countries was just 3 billion dollar in 2000; it grew to 70 billion dollar in 2014 and expected to hit 100 billion dollar in 2015. To put this in perspectives, both countries have made a resolve to increase the trade to 500 billion dollar by 2019<sup>4</sup>. India and China are working towards increasing connectivity for enhanced economic engagement. The concept of South Silk Road (SSR) connecting Kunming city of Yunnan province, China with Kolkata, India via Myanmar and Bangladesh, also called BCIM corridor, has been mooted in recent years and a motor rally was successfully organized in 2014 to link those two big cities. Discussions at Track-II level have started to make this SSR initiative broader by connecting Nepal in the beltway connecting India and China. This requires developing world class highway between Kolkata and Lhasa passing through Nepal. This is possible if the neighbors on both sides are convinced on the need of enhancing trilateral economic engagement that would help to grow Nepal vis-à-vis its two neighboring countries. Nepal could serve as land link for revival of traditional trade route and meeting place for investment in tourism, hydropower, mineral and agro-based industries for the investors from India and China. The Track-II process which has begun in recent years should be continued and be able to prove that the process of trilateral economic cooperation would be a win-win game for the partnering countries that would help to take the process to Track-I level.

### **Work on Enhancing Connectivity and Border Infrastructures**

The transport infrastructures at the bordering areas are mostly old and outdated. The national highways of India are not connected to Nepal-India border, rather linked through the feeder road. Most of the roads crossing India-Nepal border are narrow, congested and poorly maintained. The development of border infrastructures in the form of ICPs and ICDs has started in recent years but these infrastructures are yet to be fully developed and brought to operation.

Both governments should focus on developing cross border transport connectivity through the road as well as rail transportation that will help to

<sup>4</sup> Such a resolve was made during the visit of President Xi Jinping to India in September 2014.

create competition on transport and reduce the cost of cross border trade. The proposed five cross-border railway link (a) New Jalpaigudi (NJP)-Kakarbhitta, (b) Jogbani-Biratnagar (c) Jaya Nagar-Bardibas (d) Nautanawa-Bhaiahawa and (e) Nepalgunj Road-Nepalgunj would help to create better transport linkages for cross border flow of goods and people between Nepal and India.

Cross border movement of Nepalese transport vehicles into India involves complex procedures and formalities. The movement of the passenger vehicles (public transport) between two cities of Nepal and India has been during the last year (2014). However, the goods transportation mechanisms still not made effective. The existing process needs to be simplified and made easy so that transportation will not be a barrier and the reason of high cost of trade. Improving transport operation along the transit corridors combined with upgrading of port and border infrastructure is essential to promote bilateral as well as overseas trade of Nepal.

Nepal has two serviceable roads connecting two (Tatopani and Rasuwagadhi) out of the six designated border crossings with Tibet of China. Both of these roads are now temporarily closed due to the earthquake of April-May 2015 and landslides triggered by quake and downpours. These two border posts also lack the adequate parking and warehousing facilities and allied infrastructures for speedy clearances of cargo. Government of Nepal has initiated the development of infrastructures on these border posts with the financial and technical assistance of the government of the People's Republic of China and construction work of Inland Clearances Depots (ICDs) was in progress in Tatopani customs. But, the ongoing construction works at this border post and plan of developing similar kind of facilities at Rasuwagarhi has now been suspended due to natural calamities of quake and landslides. This has necessitated to develop at least two other border posts one in the eastern region and the other in the western region to maintain the regularity of exchanges of goods, services and facilitate the movement of people in case of natural disaster and also enhance the bilateral trade from those areas. It is important to upgrade the road standards and safety on the Nepalese side of the highway leading to the Nepal-China border in view of fragile geological settings and weakened mountains.

Road network on Tibet is well developed and the territory gets Railway system that runs in the highest elevation on earth. The Railway Network connects Xigatse, the second largest city in Tibet, south-west from Lhasa. Government of Nepal is seeking support from the government of China to connect this railway network to the northern border of Nepal that would help to enhance physical connectivity between the two countries.

### **Enhance Border Agency Cooperation and Trade Facilitation**

Infrastructures like roads, transport arrangements, container yards, quarantine facilities and use of technological innovations are important for efficient border clearance processes. However, these are not sufficient conditions to improve cross border trade. Harmonization of documents and procedures of the border administration like customs, quarantine, and food safety agencies also play equally important role in reducing the cost of transaction.

The Nepal-India treaty of trade has made provisions of border agency cooperation with institutional mechanisms at the level of Customs Officer and similar arrangement is made with Tibet-China under the Nepal-Tibet Trade Facilitation Committee (NTTFC). But, both of these mechanisms are not found effective to address the border clearances problems. Similarly, the process, documentation and IT enabled services is still to be harmonized across the border. Thus, reducing delays and facilitating cross border trade demands cooperation under the bilateral treaty framework. Enhancing border agency cooperation, maintaining transparency and predictability in application of rules and regulations, introduction of cross border electronic data interchange for border control are some important measures for facilitating trade with the neighboring countries and beyond. Government of Nepal should take initiatives to make the border agency cooperation mechanism effective by reorganizing the existing committees and delineating the work scope and processes for these committees.

### **Improve Transit Transport Operation**

As a landlocked country, the international trade of Nepal largely depends upon the transport infrastructures and the transit arrangement with the neighboring country, particularly with India. Traditionally government of India is providing transit services through the port of Kolkata and Haldia connected to Nepalese borders at 15 Land Customs Stations (LCS). Besides, transit services are available to Nepal to connect Bangladesh through the LCS of India at Panitanki-Phulbari and Radhikapore via road and rail route respectively. Thus, the cost of transit transportation is one of the determinants of the competitiveness of the Nepalese trade. Rationalizing the cost and improving transit services requires renegotiating transit treaties and the allied agreements like rail services agreement and operation modality of transport vehicles in the transit corridor. This requires strong skills and capacity of the government to negotiate transit related agreements, creating value for mutual benefits of both countries.

The WTO Trade Facilitation Agreement provides framework for streamlining trade facilitation and transit transport cooperation. Application of the risk management in inspection of goods, non-discrimination in test and certifications, rationalization of fees, pre-arrival processing and electronic payment of duties, taxes, fee etc. post clearance audit, publication of the average release time of goods, use of authorized operators are some important measures mentioned in the agreement. Similarly Nepal is in the process of becoming a party to Revised Kyoto Convention (RKC) which provides simplified but effective customs control mechanisms. India is already a party to this convention. Another important instrument is the Vienna Plan of Action-2014 agreed by the landlocked developing countries and their partner transit providing countries. Nepal should emphasize on building the transit procedures on the premises of these three international instruments while reducing the burden on trade and improving transit performances.

With the development of railway systems in Tibet, China and the prospective of Tibetan railway linking to the Nepalese borders in near future, government of Nepal may consider negotiating a transit agreement with the government of People's Republic of China. Allocations of transit corridors on both sides of the borders would be in the best interest of Nepal, for the longer run, though there may not be immediate gain in the short term.

### **Develop Institutional Mechanisms to Address the Non-tariff Issues**

There are synergetic relationships between standards and trade. Different levels of sanitary and phyto-sanitary and technical standards pose barriers to international trade. The cost on account of non-tariff barriers is normally higher in India and Bangladesh, two major trading partners of Nepal. A study done by CUTS India in 2013 reveals that aggregate potential savings from NTB reforms in India would come around 310.05 million dollar<sup>5</sup>. Nepal as one of the exporting countries could be the beneficiary of this reform. Thus harmonization of standards, test and certification between the exporting and importing countries is needed in order to address the large part of non-tariff issues.

The framework of current trading arrangement between Nepal-India and Nepal-China does not cover the non-tariff measures. Nepal-India treaty of trade has mentioned works related with harmonization of standards and mutual recognition of SPS certificates but this has not yet been implemented.

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<sup>5</sup> *Reforming Non-Tariff Barriers: Case for a Participatory Approach in South Asia; CUTS International; July 2013*

The agreement between NBSM of Nepal and AQSIQ of China on inspection and certification of industrial goods also remains tardy. Non-tariff barriers are often not transparent, unpredictable and discourage export. Dealing with NTBs requires greater collaborations and confidence building among the trading partners.

Hence, government of Nepal should consider on; concluding a complementary agreement with neighboring countries to address the SPS and TBT related non-tariff issues, carrying out legislative and institutional reforms for enhancing the capacity of the national quality infrastructures, and obtaining technical and financial support to strengthen the capacity of the Nepalese laboratories on quarantine and food safety. At the same time, it is essential to educate the Nepalese exporters on the SPS requirement of neighboring countries as part of capacity building measures.

Nepalese officials normally do not get prompt information on the new non-tariff measures applied by the importing countries. Such information is passed by the exporters to the government authorities whenever they face serious problems during export of goods. This kind of information asymmetry often results to unnecessary hurdles to exporters. The notifications issued by the Chinese government are normally in their language and interpreted by their officials. In such a condition, the Nepalese trader depends solely on the mercy of the border official as to the interpretation of the notifications. Thus, it is important to make mandatory to notify any trade policy measures promptly whenever it is issued and provide some lead time to implement the measures. There should be complete restriction in imposing any rules with retrospective effects.

Government should consider enhancing collaboration with the SPS and TBT authorities of both neighboring countries through constituting separate institutional mechanisms and enhancing bilateral cooperation for strengthening the Nepalese inspection, test and certification procedures. Such dialogue platform would help to chart out and implement plan for removal of the non-tariff and para-tariff barriers on both export and import.

### **Enhance Cooperation on Development of Hydropower and Infrastructures**

Hydropower represents Nepal's nature gifted endowment that has potentialities to take the economy on high growth trajectory. However, it has been a much talked issue but less attended on implementation. It is widely accepted that promotion of hydropower projects for power sharing, flood control and water management cooperation are essentially important in promoting complementarities and prosperity between Nepal and the bordering states of India.

Hydropower provides potential area wherein the Indian and Chinese investors could be invited for development of the project and sharing of benefits. Similarly, development of key infrastructures like express way, tunnel road, bridges, airport, exhibition ground, transmission lines, reservoir dam and dry port are important for enhanced trade opportunities. Nepal should seek development of such key infrastructures from the foreign direct investment, equity investment or loans. The policy of promoting joint venture projects in agriculture, manufacturing and services industry would help in complementing and justify the investment in infrastructures. Direct financial and technical support may be sought for selected vital infrastructures from the neighboring countries that will help in improving connectivity and developing complementarities of trade. There is growing interest from the investors from both neighboring countries to invest in development of hydropower and key infrastructures that needs creation of enabling and supportive environment backed by favorable policy and strategic measures.

### **Promote Joint Tourism**

There are immense potentialities in promotion of joint tourism between Nepal-India and Nepal-Tibet, China. The landscape from the Indian Ocean to the highland of Tibet provides diverse climate, people, flora, fauna and culture that could be of great attraction to the tourist from other countries. Religious tourism possess one of the potentials in promoting linkage as the important Hindu and Buddhist shrines are found in Bodh Gaya, Benares, Ayodhya, Mathura, Brindawan, in India, Pashupatinath, Muktinath, Barahkshetra, Janakpurdham, Swyombhunath and Lumbini in Nepal and Kailash in Tibet. Similarly, Buddhist circuit could be developed and promoted to attract more visitors from other countries particularly countries from South East and East Asia as the joint tourism may extend from Bodh Gaya to Lumbini and further to Lhasa.

Nepal, India and Tibet China are rich in culture and traditions. Himalaya provides scenic beauty and the opportunity for adventure tourism like trekking and mountaineering. The rivers flowing down from the Himalayas at high gradient make good spot for rafting and kayaking. Natural forest, lakes, ponds and wetlands are the nature gifted resources for tourism promotion. Collaboration to promote joint tourism brings immense benefits to the people for improving their life and livelihoods.

### **Mobilize Trade Related Technical Assistance**

As a least developed country, Nepal is entitled to receive the trade related technical assistance and the aid for trade to enhance its trade related

capacity. Such assistance is normally handed out by the OECD countries. As the emerging economies of Asia, India and China are providing duty free tariff preferences to the product of least developed countries including Nepal. Being the next door neighbor, Nepal should be able to reach out to these countries for trade related technical assistance to build up the national capacity. Both these countries are coming forward to support the least developed and other developing countries in improvement of infrastructures and building trade capacity. India has committed technical assistance under the service waiver provisions of WTO, particularly in financial services, insurance services, MSME sector, agriculture and rural development. As the important trade partners, India and China could be the best sources of trade related technical assistance and trade capacity building for Nepal and in a position to leverage the assistance for enlarging market access opportunities to the Nepalese products and services. Such support may be channelized for increasing production of the export-potential, enhancing quality of the products so as to comply with the quarantine/SPS standards as specified by their regulations. Similarly, the Nepalese traders could be educated on the customs/export-import procedures and rules to be pursued while exporting and importing goods from both neighboring countries

### **Greater Role to Economic Diplomacy**

Nepal pursued economic diplomacy as one of the instruments of foreign policy, particularly since the decade of 1990. Negotiating the terms of trade, transit, and investment, enhancing cooperation in the areas of tourism, services and development cooperation are some crucial tasks to be carried while treading along the economic development agenda of the country. Taking up this role would require enhancing the responsibilities of the Ministry of Foreign Affairs (MOFA) supported by capacity building program, specifically on negotiation skills and familiarization with the nuances of trade and transit. Besides, the coordination mechanisms between the economic ministries and MOFA should be strengthened. The Institute of Foreign Affairs (IFA) should be well equipped and geared towards taking up the tasks of supporting the foreign ministry on achieving the mission of economic diplomacy. A well organized training program should be developed and put into implementation as part of the annual work program of the institute.

The Nepalese mission, particularly the mission chief at the neighboring countries, should be made responsible for advancing the economic interest of the country; regular dialogue and trilateral coordination should be held among the Nepalese missions, MOFA and concerned ministries. The ministry

may consider developing an internal evaluation mechanism to evaluate the performance of each mission at the end of each fiscal year.

In view of the greater economic interest with the adjoining states of India, Nepal should consider opening Consulate Office at Patna and Lucknow, capital city of Bihar and Uttar Pradesh. Issues on Nepalese export and trade growth, in many case, have emanated due to the policy and regulatory environment of these neighboring states of India. National governments on both countries may also consider on making sub-national level coordination mechanisms for resolving the local level issues. Similarly, growing trade between Nepal and China, albeit fast growth of import, necessarily requires setting up a consulate office in Guanzhou city of Guangdong province. Such a mission can look into the problems faced by the Nepalese traders on one side and also facilitate the visit of Chinese investors and tourist into Nepal.

### **Promote Public-Private Collaboration**

Private sector has an important role in realizing the objectives of trade led economic growth. The open and liberal economic and trade policies adopted by the country compelled the government to work in conjunction with the private sector and infused a new work culture in the bureaucracy as well. The engagement of the Chambers and industry associations is increasing in formulation of national economic policies and their implementation.

Enhancing public-private dialogue in broader economic issues is receiving increased attention as various forums like Industrial Promotion Board, Board of Investment, National Transport and Trade Facilitation Committee, Employment Promotion Board, Revenue Consultative Committee, and Tourism Promotion Board are in existence that carry out discussions on relevant issues and help in maintaining transparency, consistency and predictability of the government policies and their implementations. A number of cross border mechanism also exist between the governments to deal with various economic issues. Nepal and India have constituted such mechanisms in the areas of trade, transit, investment, transport, irrigation, and hydropower at the government level. Meanwhile the bilateral consultative mechanisms also exist between Nepal and China. Besides, there are Track-II mechanism, at the level of business organizations like FNCCI, and CNI of Nepal and CII and FICCI of India that discuss the contemporary economic issues and provide feedback to the respective governments. Exchange of business delegations and the mechanisms of cooperation between Nepalese and Chinese business entities have existed since last several years.

Two important institutional instruments are available under the WTO trade facilitation agreement; first is the National Transport and Trade Facilitation Committee (NTTFC) and the second Transit Coordinator. Nepal has already constituted NTTFC while India is in the process of constituting such body. Second, designating transit coordinator to some competent authorities on both sides would help to enhance the transit transport cooperation. It is important to develop institutional linkages between the two bodies which will provide platform to discuss common problems and enhance bilateral cooperation.

Nepal should focus on promoting G2G, G2B and B2B interactions and dialogues with the entities both in India and China. Regularity of the intergovernmental meetings should be maintained and exchange of business delegations should be encouraged. Governments should consider organizing trade fairs in Nepal as regular calendar of event and also encourage participation in the trade fairs in both neighboring countries with a view to promote Nepalese export potentials. It is also equally important to intensify contacts, cooperation, and collaboration between the private sector entities in both countries for promoting trade relations and fostering mutuality of interests and keeping the private sector abreast of regulatory requirement, facilities and incentives available in the neighboring countries.

Government to government collaboration at sub-national or provincial level, regular exchange of business delegations and formation of a business council with wider participation both from government and business sector could be considered in facilitating the works of G2G mechanism. This council could be shouldered with the responsibility of advising governments on actions related to promotion of bilateral trade and economic linkages, organize trade fair and identify projects and programs of common concern.

### **Post Disaster Needs**

Industry, trade and commerce sector has experienced relatively a huge setback in the 14 highly affected districts in the wake of devastating earthquake of April and May 2015. Physical damages occurred mostly to the micro and small enterprises that were run at the household level due to the damages and collapse of the buildings and subsequent loss of raw materials and finished goods. The next damages occurred to the trade related infrastructures, particularly road, bridges, warehouses and the border infrastructures. The road linking to the northern borders of Tatopani and Rasuwagarhi has been badly damaged due to the landslide triggered by the quake and monsoon rain. This has affected the overland trade with Tibet-China in a serious way.

The total disaster effect (loss and damages) to the commercial and industrial establishment has been estimated to be 36.2 billion rupees. The recovery need for the commerce and industrial sector over a period of five years is estimated to be 20.1 and 7.4 billion rupees respectively (NPC 2015).

Micro, cottage and small (MCS) industries that are major sources of employment and income to the rural population are badly hit by the impact of earthquake. Export trade with the neighboring countries, particularly with China is severely affected due to losses and damages to a large number of MCS industries. In a post disaster situation, the MCS industries would require interventions in respect of assessment of damages to the production units, preparation and implementation of business recovery plan that include reconstruction of sheds and buildings, refinancing, training and retraining, and enhanced incentives for export among others.

Reconstruction and rehabilitation of the road, bridges and border infrastructures damaged by the earthquake and ensuing landslides, particularly linking the two northern border posts of Tatopani and Rasuwagarhi is equally important to bring resiliency to trade and investment. This, on one side, demands for removal of roadblocks for immediate transport operation and also taking recourse to carrying out research and develop designs of infrastructures that could stand and negotiate the fragile slope of the mountains, at the other. The ongoing works of ICD at Tatopani and the proposed one in Rasuwagarhi need a fresh look in technical designs in the aftermath of disaster. Government should consider developing two other border posts one in the eastern region and another in the western region to link Tibet with the national highway of Nepal. It is likely that government of China may come forward to provide assistance for recovery and rehabilitation of the trade routes linking Tibet with Nepal.

Special Economic Zones (SEZ) are important infrastructures for leveraging the benefits of transport connectivity and customs cooperation. Nepal has gone for developing these infrastructures in some key locations in the southern borders, but the work progress is very much slow. The construction works of Bhairahawa SEZ is substantially completed but has not come to operation due to lack of regulatory framework while the work progress in Simara SEZ is moving at a very slow pace. Government of Nepal should expedite the construction works on one side and focus on creating legal infrastructure for completing the incomplete tasks. It is highly probable to take up the tasks of developing two SEZ; one in Nuwakot/Rasuwa and the other one in Kabhrepalanchowk/Sindhupalchowk district, the EQ impacted district in

order to create employment to the local people and also expand the export trade with TAR of China.

## **Summary and Conclusion**

Despite the geographical proximity and historic economic and social relationships, Nepalese trade neither could keep pace with the growing international trade of its two neighbors nor could meaningfully connect to those big markets. Nepal is losing its share in the traditional market of India, particularly after the past one and half decade due to increasing competition and loss of competitiveness of Nepalese products. Trade scenario is changing in the wake of liberalization of tariffs in South Asia or elsewhere. The effect is that now Indian and Chinese goods are cheaper in Nepal but Nepalese goods are expensive in those markets and not able to compete with other exporting countries.

It is very much pertinent for Nepal to work closely with its neighbors for increasing export trade, reducing the widening deficit and sustaining trade in the longer term that requires a coordinated effort to enhance the supply-side capacity and ensure that market access opportunities are increased through introducing reform on transport and trade facilitation. This requires a comprehensive review of the existing trade treaty with India with a provision of expanding cooperation on trade support measures, non-tariff, para-tariff, and trade facilitation issues within the framework of trade treaty. Negotiating a free trade agreement with the government of China should be considered as measures of reversing the waning trade and investment relations. Enhancing connectivity, addressing non-tariff and para-tariff barriers, increasing collaboration and cooperation at the government level and private sector service providers and traders, enhancing cooperation in services sector like tourism and hydropower are some crucial elements in forging better trade and economic relations with the two immediate neighbors. The government effort should be complemented by the Track-II process.

The potentials of Nepal-India trade and economic cooperation can be harnessed at three fronts simultaneously. The existing agreements that serve the trade in goods should get a focus from new perspectives of increasing intra-industry trade (trade in parts and linkages through production network), commercial production and quality enhancement of the export products along the value chain. Secondly, the focus should be given in energy trade through development of hydro-power that requires creating a favorable investment climate in the country and thirdly, there should be collaboration for promoting the services sector, particularly tourism, education, health and

ICT. This also requires creation of favorable investment climate for commercial presence under mode-3 of GATS and promotion of cross border consumption by the citizens (Mode-2) of each other country.

The current system of transit movement is becoming obsolete in the wake of emerging new concept and technologies that is based on dual notion of protecting legitimate interest and facilitating the flow of transit trade between the transit as well as landlocked developing countries. The reform in transit is not only associated with the enhancement of the port and border infrastructures and upgrading the transport system but also with a number of soft issues like reform in the laws and regulation, improvement in the governance system, use and application of ICT in transit movement of goods and services and enhancing dialogue and consultation mechanisms to reduce hassles and improve operations. Any reform in the transit treaty should be guided by the three international instruments namely; trade facilitation agreement of WTO, revised Kyoto convention and Vienna program of action. These reforms should be comprehensive with long term visions that help in integrating the markets of partnering countries.

Enhancing trade and investment linkages with the neighboring countries also require an intensive persuasion and diplomatic effort. Hence, efforts should be made for enhancing the technical knowledge and negotiating strength of the officials in the Ministry of Foreign Affairs and the concerned ministries to advance the economic interest of the country. As an organization, the Institute of Foreign Affairs is well placed to take up the responsibilities of analytical research and human resources development in the areas of economic diplomacy and international negotiation but is severely constrained due to lack of resources and appropriate institutional set up. Government should pay attention in reinvigorating the institute as a vibrant organization to live up to its assigned responsibilities. Similarly, the Nepalese missions in the neighboring countries should be mobilized and made responsible for advancing the economic interest of the country.

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## Annex: Trade Policy, 2072

### वाणिज्य नीति, २०७२\*

#### १. पृष्ठभूमि

खुला एवं बजारोन्मुख वाणिज्य नीतिले स्रोत साधनको परिचालन, आर्थिक विकास र गरिवी निवारणमा सकारात्मक प्रभाव पार्छ भन्ने मान्यता बमोजिम नेपालले दुई दशक अधिदेखि यस्तो नीति अवलम्बन गर्दै आएको छ। वाणिज्य क्षेत्रलाई खुला र उदार आर्थिक नीतिको अवधारणा बमोजिम अधि बढाउने सिलसिलामा वि.सं. २०४९ मा वाणिज्य नीति जारी गरिएको थियो। उक्त नीतिले वाणिज्य क्षेत्रलाई प्रतिस्पर्धात्मक र गतिशील बनाउन तथा वाणिज्य क्षेत्रमा निजी क्षेत्रको भूमिकालाई बढाउन कोशेढुंगाको रूपमा कार्य गरेको थियो। नेपालको बहुपक्षीय, क्षेत्रीय र द्विपक्षीय व्यापार प्रणालीसँगको आबद्धता र अन्य समसामयिक विषयहरूलाई अद्यावधिक गर्न वाणिज्य नीति, २०६५ कार्यान्वयनमा ल्याइएको थियो। हाम्रा छिमेकी मुलुक लगायत नेपालजस्ता अतिकम विकसित मुलुकले समेत अन्तर्राष्ट्रिय व्यापारबाट अर्थतन्त्रमा उल्लेखनीय प्रगति गरेको भएता पनि नेपालको व्यापार घाटा दिनानुदिन बढ्दै गइरहेको परिस्थितिमा विद्यमान बहुपक्षीय, क्षेत्रीय र द्विपक्षीय व्यापार प्रणालीबाट अधिकतम लाभ लिन समसामयिक विषयहरूलाई समावेश गरी वाणिज्य नीति, २०७२ जारी गरिएको छ।

#### २. विगतका प्रयासहरू

नेपालले वि.सं. २०४६ सालमा प्रजातन्त्रको पुनःस्थापना पश्चात् खुला, उदार तथा बजारमुखी अर्थव्यवस्था अवलम्बन गर्दै आएको हो। आठौँ पञ्चवर्षीय योजना (वि.सं. २०४९-२०५४) देखि नै वाणिज्य क्षेत्रको विकासका साथै अर्थतन्त्रको स्थायित्व र समृद्धिका लागि खुला अर्थतन्त्रमा आधारित विभिन्न नीति तथा रणनीतिहरू तर्जुमा गरिएका थिए। यसै क्रममा वाणिज्य नीति, २०४९ कार्यान्वयनमा ल्याइएको थियो। अन्तर्राष्ट्रिय व्यापार र समग्र वाणिज्य क्षेत्रमा आएको गतिशीलता, बहुपक्षीय र क्षेत्रीय व्यापार प्रणालीसँगको आबद्धता, द्विपक्षीय एवं स्वतन्त्र व्यापार क्षेत्रको विस्तार तथा व्यापार सहजीकरण जस्ता समसामयिक विषयलाई नीतिमा समावेश गर्न तत्कालीन वाणिज्य नीति, २०४९ लाई प्रतिस्थापन गरी वाणिज्य नीति, २०६५ कार्यान्वयनमा ल्याइएको थियो। उक्त नीतिमा विशेष केन्द्रित क्षेत्र र जोड दिइएका क्षेत्रहरूको विकास एवं निर्यात प्रवर्द्धन गर्नेतर्फ संस्थागत व्यवस्था समेत गरी कार्यान्वयन गर्ने प्रयास गरेको थियो। यसका साथै आवधिक योजनाहरूमा वाणिज्य क्षेत्रलाई महत्वपूर्ण रूपमा समावेश गरिँदै आएको र चालु तेह्रौँ योजना (आ.व. २०७०/७१- २०७२/७३) ले पनि प्राथमिकता प्राप्त क्षेत्रका रूपमा उल्लेख गरेको छ।

नेपालले निर्यात व्यापारबाट फाइदा लिन व्यापार वार्तालाई सुदृढ गर्ने, निर्यात क्षमता वृद्धि गर्ने, व्यापारको लागि सहयोगलाई संयोजन र व्यवस्थापन गर्ने उद्देश्यले नेपाल व्यापार एकीकृत रणनीति, २०१० को तर्जुमा गरी क्षेत्रगत निकायसँगको समन्वयमा उक्त रणनीतिको कार्यान्वयन गर्दै आएको छ। त्यसैगरी विश्व व्यापार संगठन लगायत क्षेत्रीय र द्विपक्षीय व्यापार सम्झौताले प्रदान गरेका सुविधा तथा सहूलियतहरूको अधिकतम उपयोगको लागि नीतिगत सामञ्जस्य गर्ने लगायतका कार्यहरू समन्वयात्मक रूपमा जारी रहेका छन्।

\* नेपाल सरकार (मन्त्रपरिषद्) को मिति २०७२/०४/२५ गतेको निर्णयबाट वाणिज्य नीति २०७२ स्वीकृत गरी जारी गरिएको, नेपाल सरकार वाणिज्य तथा आपूर्ति मन्त्रालय सिंहदरबार, काठमाडौँ

### ३. वर्तमान स्थिति

विश्व व्यापार संगठनको सदस्यता प्राप्तसँगै मुलुकले अन्तर्राष्ट्रिय बजारमा सहज पहुँचको अवसर प्राप्त गर्नुका साथै सो संगठनले अतिकम विकसित राष्ट्रको व्यापार क्षमता अभिवृद्धिका लागि उपलब्ध गराउने प्राविधिक तथा आर्थिक सहायताबाट लाभान्वित हुने अवसर प्राप्त भएको छ। यस किसिमका अवसरहरूका बावजुद पनि नेपालको व्यापार घाटा निरन्तर रूपमा बढिरहेको छ। नेपालले निर्यात गर्ने मुख्य वस्तुहरू न्यून मूल्ययुक्त रहेको, निर्यातको मूल्यवृद्धि कमजोर रहेको र आयात गर्ने मुख्य वस्तुहरूमा पेट्रोलियम पदार्थ, सवारी साधन तथा विलासिताका सामानहरूको मात्रा बढी भएकोले व्यापार घाटाको आकार दिनानुदिन बढिरहेको छ।

नेपालले बजारोन्मुख अर्थ व्यवस्था आत्मसात् गरेको दुई दशक पुरा हुँदा पनि अपर्याप्त भौतिक पूर्वाधार, कमजोर श्रम सम्बन्ध, अपर्याप्त संस्थागत समन्वय र लगानी-मैत्री वातावरणमा अपेक्षित सुधार हुन नसक्नु लगायतका कारणले अपेक्षाकृत वैदेशिक लगानी आकर्षित गर्न सकेको छैन। जनसंख्याको वृद्धिसँगै आन्तरिक उत्पादन बढ्न नसक्नु र विप्रेषणका कारण उपभोग र आयात गर्न सक्ने क्षमताको अभिवृद्धिको कारण आयात निरन्तर बढिरहेको छ।

यसका साथै वि. सं. २०७२ साल वैशाख १२ गतेको विनाशकारी भूकम्प र त्यसपछिका परकम्पहरूबाट वाणिज्य क्षेत्रमा भएको ठूलो क्षति तथा नोक्सानीबाट निर्यात क्षमता अझ कमजोर बनेको तथा आयात उच्च रूपमा वृद्धि भइरहेकोले व्यापार घाटा थप वृद्धि हुँदै जाने अवस्था सृजना भएको छ।

### ४. मुख्य समस्या तथा चुनौतीहरू

निर्यात र आयातबीचको बढ्दो खाडलले निरन्तर बढिरहेको व्यापार घाटालाई वाञ्छित सीमामा ल्याउनु मुख्य चुनौतीको रूपमा रहेको छ। नेपालले बढी मात्रामा कच्चा पदार्थ, प्राथमिक वस्तु तथा अर्धप्रशोधित वस्तुको निर्यात गर्ने भएकोले निर्यातको मूल्य वृद्धि कमजोर हुनु, समग्र उत्पादन र उत्पादकत्व कमजोर हुनु, औद्योगिक क्षेत्रको उत्पादन घट्नु, नेपाल एकीकृत व्यापार रणनीति, २०१० ले पहिचान गरेका वस्तु तथा सेवाको निकासी उत्पादन नहुनु, गुणस्तर परीक्षण, प्रमाणीकरण, लेबलिङ्ग र प्याकेजिङ्ग सम्बन्धी कमजोर अवस्था हुनु, व्यापारजन्य भौतिक पूर्वाधारको अवस्था कमजोर हुनु, विशेष आर्थिक क्षेत्रको कार्यान्वयनमा ढिलाइ हुनु, पर्याप्त मात्रामा ऊर्जाको आपूर्ति नहुनु, कमजोर श्रम सम्बन्ध र संस्थागत समन्वय मजबूत नहुनु लगायतका कारणले निकासी व्यापारको आपूर्तिजन्य क्षमतामा अपेक्षित वृद्धि हुन सकेको छैन।

### ५. नयाँ नीतिको आवश्यकता

तेझैँ योजनाले लिएको वि.सं.२०७९ (सन् २०२२) भित्र नेपाललाई अतिकम विकसित राष्ट्रबाट विकासशील राष्ट्रमा स्तरोन्नति गर्ने दीर्घकालीन सोच तथा गरिबी घटाउने उद्देश्यलाई मार्गदर्शनको रूपमा लिई यो नीतिको दूरदृष्टि, उद्देश्य, रणनीति, नीति र कार्यनीति तर्जुमा गरिएको छ। त्यसैगरी योजना अवधिको अन्तिम वर्षमा कुल गार्हस्थ्य उत्पादनसँग वस्तु निकासीको अनुपात ६ प्रतिशत, वस्तु तथा सेवा निकासीको अनुपात १२

प्रतिशत र व्यापार घाटा २० प्रतिशतमा भार्ने योजनाको व्यवस्थालाई समेत ध्यानमा राखिएको छ ।

वाणिज्य नीति, २०६५ का प्रावधानहरू कार्यान्वयनकै क्रममा रहेको भए तापनि आवश्यक र महत्वपूर्ण प्रावधानहरूको कार्यान्वयन प्रभावकारी हुन नसक्नु, अन्तराष्ट्रिय व्यापारमा नयाँ विषयहरू आउनु र व्यापार घाटामा निरन्तर वृद्धि हुनु जस्ता सवालहरूलाई सम्बोधन गर्न नयाँ नीतिको आवश्यकता महसुस गरिएको छ । त्यसैगरी विश्व व्यापार प्रणाली खासगरी विश्व व्यापार संगठनको नवौँ मन्त्रिस्तरीय सम्मेलनमा व्यापार सहजीकरण सम्झौता, अतिक्रम विकसित देशलाई सेवा व्यापारमा छुट, सहूलियतपूर्ण उत्पत्तिको नियम, भन्सार तथा कोटारहित बजार पहुँच सम्बन्धी निर्णयलाई समेत कार्यान्वयनमा ल्याउन आवश्यक देखिएको छ । साथै वाणिज्य नीति र नेपाल व्यापार एकीकृत रणनीतिबीच तादात्म्य, आपूर्तिजन्य क्षमता विकास, उत्पादन र उत्पादकत्वमा वृद्धि, सेवा व्यापार, बौद्धिक सम्पत्तिको संरक्षण र प्रवर्द्धन, व्यापार मूलप्रवाहीकरण, व्यापारका लागि सहायता, संस्थागत सामाजिक उत्तरदायित्व, व्यापार र वातावरण, अनुगमन संयन्त्रको व्यवस्था जस्ता विषयहरू समावेश गरी विश्वव्यापीकरण, आर्थिक उदारीकरण र विश्व व्यापार प्रणालीले उपलब्ध गराएका अवसरहरूको उपयोग गरी व्यापार घाटा कम गर्नुपर्ने भएकोले वाणिज्य नीति, २०६५ को पुनरावलोकन गरी नयाँ वाणिज्य नीति, २०७२ तर्जुमा गर्न आवश्यक भएको हो ।

विकास सहायता नीति, २०७१, विदेशी लगानी नीति, २०७१, कृषि विकास रणनीति, २०७२ र तर्जुमाको क्रममा रहेका औद्योगिक व्यवसाय ऐन लगायतका क्षेत्रगत नीतिहरूसँग सामञ्जस्य कायम गर्न अनिवार्य भएको छ । त्यस्तै निर्यात प्रवर्द्धनका अतिरिक्त देशभित्र ठूलो मात्रामा आयात भइरहेका कृषि/उद्योगजन्य तथा आधारभूत वस्तु तथा सेवाको उत्पादन र उत्पादकत्व बढाई स्वावलम्बी तथा आत्मनिर्भर अर्थतन्त्रको विकास गर्न तथा आयात गर्नुपर्ने वस्तुहरूको वर्गीकरण गरी सोही अनुरूप गुणस्तर नियन्त्रण, नियमन तथा सहजीकरण गर्न समेत आवश्यक देखिएको छ ।

यसका साथै हालै ठूलो धनजनको क्षति हुने गरी गएको विनाशकारी भूकम्पबाट व्यापारका क्षेत्रमा भएको क्षति तथा नोक्सानी पश्चात् पहिचान गरिएका यस क्षेत्रका आवश्यकताहरूलाई समेत सम्बोधन गर्न वाणिज्य नीति, २०७२ तर्जुमा गरिएको छ ।

#### ६. दूरदृष्टि

निकासी प्रवर्द्धन मार्फत राष्ट्रिय अर्थतन्त्रमा वाणिज्य क्षेत्रको योगदान बढाई आर्थिक समृद्धि हासिल गर्ने ।

#### ७. लक्ष्य

निकासी प्रवर्द्धन गरी समावेशी र दिगो आर्थिक वृद्धि हासिल गर्ने ।

#### ८. उद्देश्य

८.१. आपूर्तिजन्य क्षमताको सुदृढीकरण गर्ने र विश्व बजारमा मूल्य अभिवृद्धियुक्त प्रतिस्पर्धी वस्तु तथा सेवाको निकासी बढाई व्यापार घाटा कम गर्ने ।

८.२. क्षेत्रीय तथा विश्व बजारमा वस्तु, सेवा र बौद्धिक सम्पत्तिको पहुँच वृद्धि गर्ने ।

## ९. रणनीति

आपूर्तिजन्य क्षमताको सुदृढीकरण गर्ने र विश्व बजारमा मूल्य अभिवृद्धियुक्त प्रतिस्पर्धी वस्तु तथा सेवाको निकासी बढाई व्यापार घाटा कम गर्ने सम्बन्धी रणनीति

- ९.१. सरकारले सहजकर्ता, उत्प्रेरक र नियामकको भूमिका निर्वाह गर्दै निजी क्षेत्रको सक्रिय सहभागिता अभिवृद्धि गर्ने ।
- ९.२. तुलनात्मक र प्रतिस्पर्धी लाभका वस्तुहरूको प्रतिस्पर्धी क्षमता अभिवृद्धि गरी निर्यात प्रवर्द्धन गर्ने ।
- ९.३. आपूर्तिजन्य क्षमता सुदृढीकरण गर्दै व्यापार घाटा कम गर्ने ।
- ९.४. निर्यातजन्य सेवा क्षेत्रहरूको प्रतिस्पर्धी क्षमता अभिवृद्धि गर्ने ।
- ९.५. व्यापार सहजीकरण तथा संस्थागत सुदृढीकरणको माध्यमबाट कारोवार लागत घटाउने ।
- ९.६. व्यापारलाई अर्थतन्त्रको मुख्य सम्भागको रूपमा स्थापित गर्न मूलप्रवाहीकरण गर्ने ।

**क्षेत्रीय तथा विश्व बजारमा वस्तु, सेवा र बौद्धिक सम्पत्तिको पहुँच वृद्धि गर्ने सम्बन्धी रणनीति**

- ९.७. बहुपक्षीय, क्षेत्रीय र द्विपक्षीय संयन्त्र तथा व्यापार कूटनीतिको माध्यमबाट बजार विस्तार र व्यापारजन्य क्षमता अभिवृद्धि गर्ने ।
- ९.८. वस्तु र सेवा व्यापारलाई प्रतिस्पर्धी एवं सुदृढ बनाई एक अर्काको समपूरकको रूपमा क्षेत्रीय तथा विश्वव्यापी उत्पादन सञ्जालमा आवद्ध गर्ने ।
- ९.९. व्यापार सम्बद्ध बौद्धिक सम्पत्ति सम्बन्धी अधिकारको प्रवर्द्धन र संरक्षण गरी विश्व बजारमा नेपाली उत्पादनको पहुँच बढाउने ।

## १०. नीति तथा कार्यनीति

१०.१. **सरकारले सहजकर्ता, उत्प्रेरक र नियामकको भूमिका निर्वाह गर्दै निजी क्षेत्रको सक्रिय सहभागिता अभिवृद्धि गर्ने**

- १०.१.१ निजी क्षेत्रको अगुवाइमा निर्यात व्यापारलाई वस्तुगत एवं देशगत विविधीकरण गरी प्रतिस्पर्धी बनाउन सरकारबाट सहजकर्ता, उत्प्रेरक र नियामकको भूमिका निर्वाह गरिनेछ ।
- १०.१.२ अन्तर्राष्ट्रिय व्यापारबाट अधिकतम लाभ लिन नेपाल व्यापार एकीकृत रणनीतिको समसामयिक पुनरावलोकन गरी कार्यान्वयन गरिनेछ ।
- १०.१.३ नेपालको निर्यात व्यापार अभिवृद्धिका लागि प्रक्रियागत व्यवस्थामा समयानुकूल सुधार गरी सरल र पारदर्शी बनाइनेछ ।
- १०.१.४ निर्यात व्यापारसँग सम्बन्धित निजी क्षेत्र र गैरसरकारी संस्थाको क्षमता अभिवृद्धि गरिनेछ ।
- १०.१.५ उत्पात्तिको प्रमाणपत्र जारी गर्ने व्यवस्थालाई थप प्रभावकारी बनाउन कार्यविधि तयार गरी लागू गरिनेछ ।
- १०.१.६ उद्यमी, व्यवसायी, व्यापारिक संस्थाहरूमा संस्थागत सामाजिक उत्तरदायित्वको विषयलाई लागू गर्न प्राथमिकता दिइनेछ ।

- १०.१.७ व्यापारलाई समयानुकूल, मितव्ययी र भरपर्दो बनाउन विद्युतीय व्यापारको प्रवर्द्धन गरिनेछ ।
- १०.१.८ निर्यात व्यापार प्रवर्द्धन र विस्तार गर्न प्रमुख निर्यातकर्ताहरू एवं विदेशस्थित नेपाली वस्तुका प्रमुख आयातकर्ताहरूलाई सम्मान गरिनेछ ।
- १०.१.९ प्राथमिकता प्राप्त निर्यातमूलक वस्तुका उत्पादक र निकासीकर्तालाई मूल्य अभिवृद्धिका आधारमा छुट र प्रोत्साहनको व्यवस्था गरिनेछ ।
- १०.१.१० निकासीलाई प्रोत्साहन गर्न निर्यात ऋण योजना र बीमा योजना कार्यान्वयनमा ल्याइनेछ ।
- १०.१.११ कृषि, वन पैदावार लगायतका व्यावसायिक खेती गर्न लिजमा जग्गा उपलब्ध गराउने व्यवस्था मिलाइनेछ ।
- १०.१.१२ निर्यातमूलक उद्योगले आयात गरेको वा स्थानीयस्तरमा खरिद गरेको कच्चा पदार्थ वा सहायक कच्चा पदार्थमा लागेको कर निर्यात परिमाणको आधारमा फिर्ता दिइनेछ ।
- १०.१.१३ स्थानीय उद्योगसँग निर्यातमूलक उद्योग वा कम्पनीले करार गरी खरिद गरेका वस्तु निर्यात पश्चात् निर्यात परिमाणको आधारमा उत्पादकलाई मूल्य अभिवृद्धि कर र अन्तःशुल्क फिर्ता गरिनेछ ।
- १०.१.१४ निर्यातमूलक उद्योगहरूलाई नवीनतम प्रविधिहरूको आयातमा प्रोत्साहन तथा सुविधा उपलब्ध गराइनेछ ।
- १०.१.१५ निर्यात हुने वस्तु र सोको उत्पादनको लागि चाहिने कच्चा पदार्थ, मेशिन लगायतका सामान मुलुकभित्र ओसारपसार गर्दा कुनै किसिमको शुल्क नलाग्ने व्यवस्था मिलाइनेछ ।
- १०.१.१६ निर्यातमूलक उद्योगहरूले स्वदेशी कच्चा पदार्थ प्रयोग गरेमा छुट तथा प्रोत्साहनको व्यवस्था गरिनेछ ।
- १०.१.१७ आयातलाई व्यवस्थापन गर्न मानव, पशुपंक्षी तथा वनस्पति स्वास्थ्य र वातावरणमा प्रतिकूल असर गर्ने लगायतका वस्तुहरूको क्वारेन्टाइन जाँच लगायत गैर भंडारजन्य उपायहरू (Non Tariff Measures) को प्रभावकारी प्रयोग गरिनेछ । साथै एन्टीडम्पिङ्ग, काउन्टरभेलिङ्ग र सेफगार्ड सम्बन्धी कानून ल्याइने छ ।
- १०.१.१८ देशमा रोजगारी सृजना र आर्थिक वृद्धिमा सहयोग पुग्ने गरी निर्यातयोग्य वस्तु तथा सेवाको अग र पृष्ठ सम्बन्ध (Forward and Backward Linkage) लाई सुदृढ गरिनेछ ।
- १०.१.१९ देशभित्र स्थापना भएका उद्योगहरूको संरक्षण, प्रवर्द्धन र विकासका लागि बहुपक्षीय व्यापार सम्झौता अनुकूल हुने गरी उपयुक्त उपायहरू अवलम्बन गरिनेछ ।

१०.२. **तुलनात्मक र प्रतिस्पर्धी लाभका वस्तुहरूको प्रतिस्पर्धी क्षमता अभिवृद्धि गरी निर्यात प्रवर्द्धन गर्ने**

- १०.२.१ विश्वबजारको माग अनुरूपका तुलनात्मक लाभ र प्रतिस्पर्धी क्षमतायुक्त वस्तुहरूको पहिचान, छनौट, विकास, प्रवर्द्धन र निर्यातका लागि निजी क्षेत्रसँग समन्वय गरिनेछ ।

- १०.२.२ नेपाल व्यापार एकीकृत रणनीतिले पहिचान गरे लगायतका वस्तुहरूको प्रतिस्पर्धी क्षमतावृद्धि गर्न मूल्य शृङ्खला विकासमा सहयोग गरिनेछ ।
- १०.२.३ जिल्ला उद्योग वाणिज्य संघहरूको समन्वयमा निश्चित जिल्ला वा क्षेत्रका निर्यात सम्भाव्य वस्तुहरूको पहिचान र छनौट गरिनेछ । यसरी छनौट भएका वस्तुको प्रतिस्पर्धी क्षमता अभिवृद्धि गर्न सार्वजनिक-निजी-साभेदारी अवधारणा मार्फत मूल्य शृङ्खला विकास गरिनेछ ।
- १०.२.४ निर्यातजन्य वस्तुहरूको उत्पादन, उत्पादन क्षमता र गुणस्तर वृद्धि गर्न आवश्यक पर्ने सीप, पूँजी, प्रविधि आदि उपलब्ध गराउन सहयोग पुऱ्याइनेछ ।
- १०.२.५ गुणस्तर प्रमाणीकरण, निरीक्षण र अनुगमनका लागि कानूनी, प्राविधिक तथा अन्य आवश्यक आधारशिलाको स्थापना, सूचना प्रवाह र दक्ष जनशक्तिको व्यवस्था गरिनेछ ।
- १०.२.६ गुणस्तर प्रमाणीकरण सम्बन्धी मौजुदा प्रयोगशालाहरूको सुदृढीकरण गरिनेछ । साथै आवश्यकता अनुसार बहुउद्देश्यीय प्रयोगशाला (Multi Functional Lab) र Reference Lab को स्थापना गरिनेछ ।
- १०.२.७ वस्तुहरूको गुणस्तर कायम गर्न प्रचलित आन्तरिक, क्षेत्रीय र अन्तर्राष्ट्रिय मापदण्ड अनुसार गुणस्तर निर्धारण गर्ने कार्य थप प्रभावकारी बनाइनेछ ।
- १०.२.८ अन्तर्राष्ट्रिय स्तरका व्यापारिक संस्थाहरूको निजी मापदण्ड (Private Standard) पूरा गर्न प्रोत्साहन गरिनेछ ।
- १०.२.९ निर्यातयोग्य वस्तु तथा सेवाका सम्भाव्य बजारहरूको खोजी गरी निर्यात प्रवर्द्धन गरिनेछ ।
- १०.२.१० निजी क्षेत्रको योगदान समेत सुनिश्चित गरी राष्ट्रिय तथा अन्तर्राष्ट्रिय व्यापार मेला आयोजना गर्न र मेलामा भाग लिन सहयोग गरिनेछ ।
- १०.२.११ निर्यात व्यापारका गैर भन्सारजन्य अवरोधहरू हटाई निर्यात प्रवर्द्धन गरिनेछ ।
- १०.२.१२ उत्पत्तिको प्रमाणपत्र जारी गरेबापत प्राप्त हुने रकमलाई जारी गर्ने निकायले निर्यात प्रवर्द्धन र वस्तु विकास कार्यमा खर्च गर्ने व्यवस्था गरिनेछ ।
- १०.२.१३ नेपालमा निर्यात सम्भावना भएका वस्तुहरूको प्रशोधन गरी निर्यात गर्नका लागि Common Facility Center स्थापना गर्न प्रोत्साहित गरिनेछ ।
- १०.२.१४ निर्यात सम्भाव्य क्षेत्र तथा वस्तुहरूको निर्यात रणनीति तयार गरी कार्यान्वयनमा ल्याइनेछ ।
- १०.२.१५ निर्यातयोग्य कृषि तथा वनजन्य वस्तुहरूको संकलन एवं प्रशोधन गरी निर्यात अभिवृद्धि गर्न प्रशोधन केन्द्रहरू स्थापना गर्न सहयोग पुऱ्याइनेछ ।
- १०.२.१६ भूकम्पको प्रभावबाट अग्र र पृष्ठ सम्बन्ध टुटेका उद्योगी व्यवसायीहरूको उक्त सम्बन्ध कायम गर्न आवश्यक सहयोग गरिनेछ ।

- १०.३. **आपूर्तिजन्य क्षमता सुदृढीकरण गर्दै व्यापार घाटा कम गर्ने**
- १०.३.१ व्यापारजन्य पूर्वाधारको विकास, विस्तार र सुदृढीकरण गरिनेछ ।
- १०.३.२ उत्पादित वस्तु तथा सेवाको बजार पहुँच सहज तुल्याउन यातायात एवं पूर्वाधार विकासमा जोड दिइनेछ ।
- १०.३.३ निजी क्षेत्र समेतको सहभागितामा काठमाण्डौमा अन्तर्राष्ट्रियस्तरको प्रदर्शनी स्थल निर्माण गरिनेछ । साथै क्रमशः पाँच विकास क्षेत्रमा राष्ट्रिय प्रदर्शनी स्थल निर्माण गर्दै लगिनेछ ।
- १०.३.४ निर्यातलाई प्रभावकारी बनाउन विभिन्न स्थानमा स्थानीय निकाय तथा सहकारी संघ-संस्था मार्फत शीत भण्डारको निर्माण गरिनेछ ।
- १०.३.५ निकासीयोग्य वस्तुको उत्पादन, उत्पादकत्व र प्रतिस्पर्धी क्षमता वृद्धिका लागि निजी एवं सहकारी क्षेत्रको संलग्नतामा वस्तु विकास लगायतका कार्य गरिनेछ ।
- १०.३.६ निकासीयोग्य वस्तुको ब्राण्डिङ्ग, गुणस्तर प्रमाणीकरण, भन्सार जाँचपास प्रक्रिया लगायतका विषयमा सरकारी र निजी क्षेत्रका जनशक्तिको क्षमता अभिवृद्धि गरिनेछ ।
- १०.३.७ निर्यातजन्य वस्तु तथा सेवाको उत्पादन र उत्पादकत्व अभिवृद्धि गर्न नवीनतम प्रविधिको प्रयोगमा जोड दिइनेछ ।
- १०.३.८ नेपालमा उत्पादन सम्भावना भएका तर आयात गर्नु परिरहेका औद्योगिक र कृषिजन्य (खाद्यान्न, तरकारी, फलफूल लगायतका) वस्तुहरूको उत्पादन र उत्पादकत्व बढाउन सम्बन्धित निकायसँग समन्वय र सहकार्य गरिनेछ ।
- १०.३.९ उद्योगहरूलाई पूर्ण क्षमतामा सञ्चालन गर्न विद्युत लगायतका पूर्वाधारको सुनिश्चितताको लागि सम्बन्धित निकायहरूसँग समन्वय गरिनेछ ।
- १०.३.१० उत्पादनस्तरमा लागत प्रभावी उपायहरू अपनाउनुका साथै आपूर्तिजन्य कठिनाइहरू हटाउन कार्यक्रम तर्जुमा गरी कार्यान्वयन गरिनेछ ।
- १०.३.११ स्वदेशी तथा विदेशी लगानी आकर्षित गरी निकासी प्रवर्द्धन गर्न विशेष आर्थिक क्षेत्र र निर्यात प्रवर्द्धन क्षेत्रहरूको स्थापना एवं विस्तार गरिनेछ ।
- १०.३.१२ विशेष आर्थिक क्षेत्रको आसपासका क्षेत्रमा निकासीजन्य उद्योगहरूलाई कच्चा एवं अर्धप्रशोधित सहायक वस्तु उपलब्ध गराउने प्रकृतिका उद्योगहरू (Ancillary Industries) स्थापना गर्न निजी क्षेत्रलाई प्रोत्साहित गरिनेछ ।
- १०.३.१३ स्थानीय निकाय, निजी क्षेत्र र सहकारी संस्थाको सहभागितामा स्थानीय स्तरमा निकासी प्रवर्द्धन गृहको स्थापना र सञ्चालन गर्न प्रोत्साहित गरिनेछ ।
- १०.३.१४ उद्यमशीलतामा जोड दिँदै स्वदेशी कच्चा पदार्थमा आधारित निकासीजन्य वस्तुहरूको उत्पादन गर्ने उद्योगहरूमा नयाँ प्रविधि अपनाउन र उत्पादन प्रक्रियामा सुधार गर्न प्रोत्साहित गरिनेछ ।

- १०.३.१५ विविधताको अवसरलाई उपयोग गरी निर्यातजन्य वस्तुहरूको उत्पादन एवं प्रशोधन अन्तर्राष्ट्रिय माग बमोजिमको बनाउन प्याकेजिङ, लेबलिङ्ग, भण्डारण र प्रमाणीकरणमा सहयोग पुऱ्याइनेछ ।
- १०.३.१६ निर्यात प्रवर्द्धनका लागि असल कृषि अभ्यास र प्राङ्गारिक खेतीलाई प्रोत्साहन गर्न सम्बन्धित सरोकारवालाहरूसँग समन्वय गरिनेछ ।
- १०.३.१७ निर्यात व्यापारलाई प्रतिस्पर्धी बनाउन हाल निर्मित सुख्खा बन्दरगाह क्षेत्रहरूको नजिक निजी क्षेत्रको संलग्नतामा निर्यात प्रशोधन क्षेत्रहरूको स्थापनाका लागि सम्भाव्यता अध्ययन गरिनेछ ।
- १०.३.१८ हालसालै गएको विनासकारी भूकम्पबाट अति प्रभावित जिल्लाहरूमा निजी क्षेत्रसँगको सहकार्यमा उद्योगी व्यवसायीहरूको क्षमता विकास सम्बन्धी कार्यक्रमहरू सञ्चालन गरिनेछ ।
- १०.३.१९ भूकम्पबाट भएको क्षतिको असर न्यूनीकरण गर्न निर्यात क्षमता अभिवृद्धि र व्यापारजन्य पूर्वाधार निर्माणमा व्यापारका लागि सहायता परिचालन गरिनेछ ।
- १०.४. **निर्यातजन्य सेवा क्षेत्रहरूको प्रतिस्पर्धी क्षमता अभिवृद्धि गर्ने**
- १०.४.१ सेवा व्यापारलाई सरल, सहज र प्रभावकारी बनाउन नीतिगत तथा संस्थागत व्यवस्था एवं प्रक्रियागत सरलीकरण गरिनेछ ।
- १०.४.२ सेवा व्यापार प्रवर्द्धनको लागि विद्यमान कानूनहरू परिमार्जन र आवश्यक नयाँ कानूनहरू तर्जुमा गर्न सम्बन्धित निकायहरूसँग समन्वय गरिनेछ ।
- १०.४.३ सेवा व्यापार सम्बन्धी सम्पर्क विन्दुका रूपमा काम गर्न वाणिज्य तथा आपूर्ति मन्त्रालयको क्षमता अभिवृद्धि गरिनेछ ।
- १०.४.४ बहुपक्षीय, क्षेत्रीय र द्विपक्षीय स्तरमा हुने सम्झौता तथा वार्ताहरूमा सेवा व्यापार प्रवर्द्धनलाई प्राथमिकता दिइनेछ ।
- १०.४.५ सूचना प्रविधितथा Business Process Outsourcing लगायतका सेवा निर्यातकहरूलाई सरल र सहज ढंगबाट भुक्तानी प्राप्त गर्ने व्यवस्था मिलाइनेछ ।
- १०.४.६ नेपाल व्यापार एकीकृत रणनीतिले पहिचान गरे लगायतका सेवा क्षेत्रहरूको निर्यात बढाउन सम्बन्धित निकायसँग समन्वय र सहकार्य गरिनेछ ।
- १०.४.७ विश्व व्यापार संगठन र क्षेत्रीय व्यापार सम्झौताहरूमा भएको प्रावधान अनुरूप चौथो मोड (Mode-4) अन्तर्गतको सेवा व्यापार विस्तार गर्न अर्धदक्ष/दक्ष जनशक्ति तयार गरिनेछ ।
- १०.४.८ विश्व व्यापार संगठनको सेवा व्यापार सम्बन्धी प्रावधान बमोजिम विकसित मुलुकले अतिकम विकसित मुलुक (LDCs) लाई दिएको सेवा व्यापारमा छुट (Service Waiver) बाट अधिकतम फाइदा लिन सो सम्बन्धी क्षेत्र/उपक्षेत्र/मोडको पहिचान गरी वार्ता तथा सम्झौता गरिनेछ ।
- १०.४.९ सेवा व्यापार प्रवर्द्धनमा निजी क्षेत्रलाई प्रोत्साहित गरी आवश्यकता अनुसार स्वदेशी तथा विदेशी लगानी परिचालन गरिनेछ ।

- १०.४.१० निर्यात सम्भाव्य सेवा क्षेत्र र उपक्षेत्रका विभिन्न मोडहरू मार्फत सेवा निर्यात गर्न अन्तर्राष्ट्रिय बजारमा प्रवर्द्धन र विकासका कार्यक्रम सञ्चालन गरिनेछ ।
- १०.४.११ वैदेशिक रोजगारीको अवसर उपलब्ध गराएका देशहरूसँग श्रम सम्झौता गर्दा रोजगार प्रदायक देशहरूले उनीहरूलाई राष्ट्रिय व्यवहार र अति सौविध्यपूर्ण राष्ट्रको व्यवहार गर्ने व्यवस्थाको सुनिश्चितताका लागि आवश्यक पहल तथा सहजीकरण गरिनेछ ।
- १०.४.१२ नेपालका विश्वविद्यालय तथा प्राविधिक/व्यावसायिक तालिम केन्द्रहरूबाट जारी गरिएका शैक्षिक उपाधि, योग्यताका प्रमाणपत्रहरूलाई मान्यता दिलाउनको लागि पारस्परिक मान्यता सम्झौता गर्न सम्बन्धित निकायहरूसँग समन्वय गरिनेछ ।

#### १०.५. व्यापार सहजीकरण तथा संस्थागत सुदृढीकरणको माध्यमबाट कारोबार लागत घटाउने

- १०.५.१ निर्यात प्रवर्द्धन तथा व्यापार सहजीकरणका लागि गुरुयोजना बनाइनेछ ।
- १०.५.२ विश्व व्यापार संगठनको नवौं मन्त्रिस्तरीय सम्मेलनले पारित गरेको व्यापार सहजिकरण सम्झौताको कार्यान्वयन गर्न संझौतामा व्यवस्था भए बमोजिम आर्थिक तथा प्राविधिक सहायता लिन व्यापार सहजिकरण सम्बन्धी प्रावधानलाई बर्गिकरण गरिनेछ ।
- १०.५.३ अन्तर्राष्ट्रिय व्यापार प्रणाली अनुरूपको भन्सार मूल्याङ्कन विधि अवलम्बन गर्दै भन्सार प्रक्रियालाई सरल, आधुनिक र प्रभावकारी बनाइनेछ ।
- १०.५.४ भन्सार जाँचपास प्रक्रियालाई सरल एवं चुस्त बनाउन छिमेकी राष्ट्रका भन्सार बिन्दुहरूसँग समेत समन्वय गरी एकीकृत जाँच चौकीको निर्माण र विस्तार गरिनेछ ।
- १०.५.५ आयात निर्यातको समग्र प्रक्रियालाई सरल, छरितो र लागत प्रभावी बनाइनेछ ।
- १०.५.६ नेपालको अन्तर्राष्ट्रिय व्यापार सम्बन्धी सूचना सङ्कलन, प्रशोधन र सम्प्रेषणलाई प्रभावकारी बनाइनेछ ।
- १०.५.७ व्यापारिक नाकाहरूलाई रेलमार्ग तथा फराकिला राजमार्गबाट जोड्न अध्ययन गराइनुका साथै विद्यमान उत्तर-दक्षिण सडक मार्गहरूको सुधार र स्तरोन्नति गरिनेछ ।
- १०.५.८ भारत र चीनबीचको स्थलमार्गबाट हुने द्विपक्षीय व्यापारमा नेपाललाई पारवहन बिन्दुको रूपमा विकास गर्ने उद्देश्यबाट पहिचान गरिएका मुख्य भन्सार नाका तथा अन्य सम्भाव्य स्थानहरूमा पूर्वाधार निर्माण गरिनेछ ।
- १०.५.९ काठमाण्डौंको अन्तर्राष्ट्रिय विमानस्थलको कागो कम्प्लेक्सलाई सुव्यवस्थित गर्ने र अन्य मुलुकका कागो विमानहरूको उडानमा वृद्धि गर्न पहल गरिनेछ ।

- १०.५.१० सुख्खा बन्दरगाह, शीत भण्डार, कन्टेनर फ्रेट स्टेसन, सडक लगायतका व्यापारजन्य पूर्वाधारहरूको अन्तर्राष्ट्रिय मापदण्ड अनुरूप निर्माण तथा स्तरोन्नति गरिनेछ ।
- १०.५.११ आयात निर्यातको नियमन, भन्सार मूल्याङ्कन तथा जाँचपास, गुणस्तर परीक्षण तथा प्रमाणीकरण लगायतका सेवाहरू विद्युतीय माध्यमबाट प्रवाह हुने गरी एकद्वार प्रणालीको स्थापना गरिनेछ ।
- १०.५.१२ पारवहन सेवालाई प्रभावकारी बनाउन सीमावर्ती भन्सार नाकाहरूमा गोदाम सुविधा, भन्सार सम्बन्धी सूचना प्रवाहमा वृद्धि र ढुवानी एवं Clearing and Forwarding को सेवा विस्तार गरिनेछ ।
- १०.५.१३ छिमेकी राष्ट्रहरूको बन्दरगाहबाट सरल र सहज ढङ्गबाट कार्गो सामान बहुविधिक ढुवानी सेवाका आधारमा नेपालको भन्सार/सुख्खा बन्दरगाहसम्म ल्याउन पाउने व्यवस्था गर्न आवश्यक व्यवस्था मिलाइनेछ ।
- १०.५.१४ सीमा तथा अन्तर्राष्ट्रिय विमानस्थलस्थित प्रमुख भन्सार कार्यालयहरूमा नापतौल मेसिन, एक्स-रे मेसिन, ल्याबोरेटरी, कम्प्युटर डाटा व्यवस्थापन, क्वारेन्टाइन जाँचपास तथा शीत भण्डारको व्यवस्था गरिनेछ ।
- १०.५.१५ निर्माणाधीन सुख्खा बन्दरगाह लगायतका व्यापारजन्य पूर्वाधारहरूको निर्माण यथासमयमा सम्पन्न गर्ने तथा विद्यमान सुख्खा बन्दरगाहहरूको प्रभावकारी सञ्चालन र उपयोग गरिनेछ । साथै आवश्यकतानुसार थप सुख्खा बन्दरगाह निर्माण गरिनेछ ।
- १०.५.१६ विद्यमान नेपाल-भारत व्यापार सम्झौता र रेल सम्झौतामा पुनरावलोकन तथा परिमार्जन गरी प्रभावकारी कार्यान्वयन गरिनेछ । साथै अन्य सम्भावित बिन्दुहरूमा समेत रेलसेवा विस्तार गर्न पहल गरिनेछ ।
- १०.५.१७ नेपालभित्र स्थापना भएका र हुने सुख्खा बन्दरगाह, कन्टेनर फ्रेट स्टेशन, एकीकृत जाँच चौकीको व्यवस्थापन र सञ्चालनको नियमन गर्न आवश्यक सांघिक संरचना र जनशक्ति सहितको इन्टरमोडल यातायात विकास प्राधिकरणको स्थापना गरिनेछ ।
- १०.५.१८ आयातमा बन्देज र परिमाणात्मक बन्देज लगाइएका वस्तुहरू बाहेक अन्य वस्तु बैकिङ्ग प्रणाली मार्फत आयात गर्दा इजाजत-पत्र नचाहिने व्यवस्था गरिनेछ ।
- १०.५.१९ विदेशी क्रेताले नेपाली निर्यातकर्तालाई निर्यात आदेशका लागि पठाएको नमूना वस्तुमा भन्सार महसुल लगायतका कुनै पनि कर तथा शुल्क लगाइने छैन ।
- १०.५.२० निर्यातित वस्तुहरू विदेशी आयातकर्तालाई अमान्य भई फिर्ता भएको अवस्थामा निर्यात भएको प्रमाणित गर्ने कागजातहरूको आधारमा त्यस्ता वस्तुहरूमा भन्सार महसुल र अन्य कर तथा शुल्क नलान्ने व्यवस्था गरिनेछ ।
- १०.५.२१ पैठारी भएका कच्चा पदार्थ तथा सहायक कच्चा पदार्थहरूबाट उत्पादित वस्तु निर्यात भएमा आयातमा तिरेको भन्सार महसुल फिर्ता हुनेछ । साथै बैंक ग्यारेन्टी राखेकोमा सम्बन्धित भन्सार कार्यालयले फुकुवा गर्नेछ ।

१०.५.२२ आयात वा निर्यातको इजाजत चाहिने अवस्थामा सरल र शीघ्र रूपमा इजाजत-पत्र दिने व्यवस्था मिलाइनेछ ।

**१०.६ व्यापारलाई अर्थतन्त्रको मुख्य सम्भागको रूपमा स्थापित गर्न मूलप्रवाहीकरण गर्ने**

- १०.६.१ राष्ट्रिय, क्षेत्रगत र स्थानीयस्तरका विकास योजना, नीति, कार्यक्रम तथा आयोजनाहरूको तर्जुमा, कार्यान्वयन, अनुगमन तथा मूल्याङ्कन प्रक्रियामा व्यापार प्रवर्द्धनलाई विशेष प्राथमिकता दिइनेछ ।
- १०.६.२ व्यापार मूलप्रवाहीकरणका लागि सम्बन्धित निकायहरूको नीतिगत, संस्थागत र मानवीय क्षमता अभिवृद्धि गर्न समन्वय गरिनेछ ।
- १०.६.३ निजी क्षेत्रका छाता संगठनहरूका नीति तथा रणनीतिहरूमा व्यापार मूलप्रवाहीकरण गर्न प्रोत्साहन गरिनेछ ।
- १०.६.४ वस्तु तथा सेवा व्यापारसँग सम्बन्धित मन्त्रालयहरूको योजना, नीति, कार्यक्रम र वार्षिक बजेटमा व्यापारसम्बद्ध विषयलाई मूलप्रवाहीकरण गरिनेछ ।
- १०.६.५ वाणिज्य क्षेत्रमा विनियोजित बजेटको कार्यान्वयन अवस्था र प्रभावको आवधिक रूपमा लेखाजोखा गरिनेछ ।
- १०.६.६ विश्वविद्यालयहरूका पाठ्यक्रममा विश्व व्यापार संगठनका प्रमुख सम्झौता तथा कार्यप्रणाली, नेपालको व्यापारसम्बद्ध सन्धि सम्झौताहरू, तिनका मुख्य प्रावधान र निर्यात प्रवर्द्धन लगायतका विषयहरू समावेश गर्न सम्बन्धित निकायसँग समन्वय गरिनेछ ।
- १०.६.७ व्यापार मूलप्रवाहीकरणका लागि विभिन्न सञ्चार माध्यमहरूबाट सचेतनामूलक कार्यक्रम सञ्चालन गरिनेछ ।
- १०.६.८ वाणिज्य तथा आपूर्ति मन्त्रालय, व्यापार तथा निकासी प्रवर्द्धन केन्द्र, विभिन्न निकायहरूमा रहेका विश्व व्यापार संगठन सम्पर्क बिन्दु, मन्त्रालय अन्तर्गत रहेका विभिन्न समितिहरू तथा WTO Reference Centre को क्षमता अभिवृद्धि गरिनेछ ।
- १०.६.९ वित्तीय तथा मौद्रिक, विदेशी लगानी, औद्योगिक, पर्यटन, कृषि, वन, भौतिक पूर्वाधार लगायतका नीतिहरू र वाणिज्य नीतिबीच सामञ्जस्य कायम गरिनेछ ।
- १०.६.१० व्यापारका लागि सहायताको प्रभावकारी परिचालन गरी निर्यात प्रवर्द्धनलाई जोड दिन विकास साभेदारसँग समन्वय बढाउँदै क्षेत्रगत अवधारणा लागू गरिनेछ ।
- १०.६.११ मूलप्रवाहमा आउन नसकेका वर्ग, समुदाय र क्षेत्रको परम्परागत पेशा, व्यवसायको आधुनिकीकरण, व्यवसायीकरण तथा बजारीकरण गरी निर्यात प्रवर्द्धन गर्न समन्वय गरिनेछ ।
- १०.६.१२ लघु, घरेलु तथा साना र मझौला उद्योगहरू एवं महिला तथा सीमान्तकृत वर्ग/समुदायहरूबाट संचालित उद्योगहरूलाई निर्यात व्यापारमा आवद्ध गर्न कार्यक्रमहरू सञ्चालन गरिनेछ ।
- १०.६.१३ नेपाली कला, संस्कृति र मौलिक पहिचान भल्कने वस्तुहरूको उत्पादन वृद्धि र निर्यात प्रवर्द्धन गर्न प्रोत्साहित गरिनेछ ।

**१०.७ बहुपक्षीय, क्षेत्रीय र द्विपक्षीय संयन्त्र तथा व्यापार कूटनीतिको माध्यमबाट बजार विस्तार र व्यापारजन्य क्षमता अभिवृद्धि गर्ने ।**

- १०.७.१ व्यापार प्रवर्द्धनलाई आर्थिक कूटनीतिको मुख्य अंगको रूपमा कार्यान्वयन गरिने छ ।
- १०.७.२ अन्तर्राष्ट्रिय बजारमा पहुँच विस्तार गर्न तुलनात्मक रूपमा बढी व्यापारिक सम्भावना भएका मुलुक तथा क्षेत्रीय संगठनहरूसँग स्वतन्त्र व्यापार सम्झौता (Free Trade Agreement) गरिनेछ ।
- १०.७.३ व्यापारसम्बद्ध लगानी प्रवर्द्धनका लागि आवश्यकता अनुसार द्विपक्षीय लगानी सम्झौता गरिनेछ ।
- १०.७.४ अन्तर्राष्ट्रिय व्यापारको लागत कम गर्न पारवहन देशहरू एवं छिमेकी मुलुकहरूको वैकल्पिक पारवहन मार्गहरू तथा बन्दरगाहहरूको भौतिक पूर्वाधार, बहुविधिक ढुवानी सुविधा, यातायात सुविधा र लागत अध्ययन गरी उपयुक्त पारवहन मार्गको प्रयोग गर्न सन्धि/सम्झौता गरिनेछ ।
- १०.७.५ बहुपक्षीय, क्षेत्रीय र द्विपक्षीय व्यापार सन्धि/सम्झौताबाट उपलब्ध अवसरहरूको उपयोग गर्न समान व्यापार स्वार्थ भएका अन्य मुलुकहरूसँग सहकार्य गरिनेछ ।
- १०.७.६ दक्षिण एशियाली क्षेत्रीय सहयोग संगठनका सदस्यहरूबीच गहन एकीकरण गर्न व्यापार, लगानी, सडक सञ्जाल, ऊर्जा व्यापार, प्रवेशाज्ञा जस्ता क्षेत्रमा उपलब्धि हासिल गर्न सम्झौताकारी सदस्य देशहरूबीच सहकार्य गरिनेछ ।
- १०.७.७ नेपालको आर्थिक तथा व्यापारिक हित प्रवर्द्धन गर्ने गरी बहुपक्षीय प्राविधिक तथा आर्थिक सहयोगका लागि बंगालको खाडीका देशको प्रयास (विमस्टेक) को कार्यान्वयन गरिनेछ ।
- १०.७.८ सार्कका सदस्य राष्ट्रहरू एवं व्यापार साझेदार मुलुकहरूसँग मिल्ने गरी नेपालको भन्सार, पारवहन र गुणस्तर प्रमाणीकरण सम्बन्धी प्रक्रिया, मापदण्ड तथा नीति नियमहरूमा एकरूपता ल्याइनेछ ।
- १०.७.९ नेपालको निकासी व्यापारमा देखा परेका गैरभन्सारजन्य अवरोधहरू हटाउन बहुपक्षीय, क्षेत्रीय र द्विपक्षीय तहमा वार्ता तथा सम्झौता गरिनेछ ।
- १०.७.१० नेपाली गुणस्तरलाई अन्तर्राष्ट्रिय मान्यता दिलाउन क्षेत्रीय र द्विपक्षीय तहमा पारस्परिक मान्यता सम्झौता गरिनेछ ।
- १०.७.११ दक्षिण एशियाका नेपाल, भारत, बंगलादेश र भुटानलाई जोड्ने अन्तर्राष्ट्रियस्तरको यातायात मार्गसहितको उपक्षेत्रीय विकास अवधारणाको कार्यान्वयन मार्फत निर्यात अभिवृद्धि गरिनेछ ।
- १०.७.१२ विश्व व्यापार र क्षेत्रीय व्यापार प्रणालीले विकासशील तथा अतिकम विकसित देशका लागि व्यवस्था गरेको भन्सार तथा कोटा रहित सुविधा लगायतका विशेष तथा पृथक् व्यवहारको अधिकतम उपयोग गरिनेछ ।
- १०.७.१३ विदेशस्थित नेपाली नियोग तथा वाणिज्य दूतावासहरूलाई व्यापार कूटनीति, बजार अनुसन्धान, लगानी सम्भाव्यता र निर्यात प्रवर्द्धनका विविध पक्षहरूमा प्रभावकारी ढङ्गले परिचालन गरिनेछ ।

- १०.७.१४ नेपाली वस्तु तथा सेवाहरूका प्रमुख आयातकर्ता एवं नेपालसँग बढी व्यापारिक तथा लगानी सम्भाव्यता भएका मुलुकस्थित नेपाली नियोगहरूमा वाणिज्यको क्षेत्रमा कार्यरत अनुभवी तथा विज्ञता हासिल गरेका कर्मचारीहरूलाई वाणिज्य क्षेत्रको काममा खटाइनेछ ।
- १०.७.१५ बजार सम्भावनाका आधारमा वाणिज्य दूतावासहरूको आवश्यकता अध्ययन गरी थप स्थापना र विस्तार गरिनेछ । विभिन्न नियोगमा हाल रहेका वाणिज्य दूत/सहकारीको कार्यबोभलाई दृष्टिगत गरी थप दरबन्दी सृजना तथा त्यस्ता निकायमा रहेका व्यापार एकाइ (Trade Cell) को सुदृढीकरणका लागि आवश्यक व्यवस्था गरिनेछ ।
- १०.७.१६ विदेशस्थित नेपाली दूतावास तथा नियोगहरूमा अन्तर्राष्ट्रिय व्यापार, लगानी, बजार अनुसन्धान लगायतका प्रवर्द्धनात्मक कार्यक्रम सञ्चालन गर्न आवश्यक बजेटको व्यवस्था गरिनेछ ।
- १०.७.१७ नेपाली वस्तुको निर्यात प्रवर्द्धन तथा नेपालमा वैदेशिक लगानी आकर्षित गर्न विदेशस्थित नेपाली नियोग तथा वाणिज्य दूतावासहरूबाट वर्षमा कम्तिमा एक पटक व्यापार तथा लगानी बैठक आयोजना गर्ने व्यवस्था मिलाइनेछ ।
- १०.७.१८ विदेशस्थित नेपाली नियोग तथा वाणिज्य दूतावासहरूमा प्रमुख नेपाली निर्यातजन्य वस्तुहरूको प्रदर्शन गर्ने व्यवस्था मिलाइनेछ ।
- १०.७.१९ निर्यातक कम्पनीहरूलाई विदेशमा सम्पर्क कार्यालय वा विक्री तथा प्रदर्शन कक्ष खोल्न र विदेशी आयातकर्ता कम्पनीलाई नेपाली सेवा तथा वस्तुको प्रवर्द्धन गर्न सम्पर्क कार्यालय स्थापना गर्न प्रोत्साहित गरिनेछ ।
- १०.७.२० बहुपक्षीय, क्षेत्रीय र द्विपक्षीय व्यापार सन्धि/सम्झौताहरूको जटिलतालाई ध्यान दिई वस्तु एवं बजार विकास, गुणस्तर सुधार लगायत व्यापार सन्धि/सम्झौताहरूका बारेमा वार्ता गर्न सक्ने क्षमतायुक्त जनशक्ति तयार गरिनेछ ।
- १०.७.२१ निर्यात प्रवर्द्धन गर्नका लागि विदेशी व्यापार मेलामा सहभागी हुँदा सामानको भन्फटमुक्त ओसारपसार गर्न सघाउ पुऱ्याउने उद्देश्यले एटा कार्नेट (ATA Carnet) को सदस्यता लिन पहल गरिनेछ ।
- १०.७.२२ विश्व व्यापार संगठनको प्रावधान अनुसार पशु तथा वनस्पतिजन्य स्वास्थ्य, व्यापारजन्य प्राविधिक अवरोध र सेवा व्यापार लगायतका सूचना प्रवाह र सोधपुछ सम्बन्धी विद्यमान राष्ट्रिय सोधपुछ विन्दु/सूचना केन्द्रहरूको सुदृढीकरण गरिनेछ ।
- १०.८ वस्तु र सेवा व्यापारलाई प्रतिस्पर्धी एवं सुदृढ बनाई एक अर्काको समपूरकको रूपमा क्षेत्रीय तथा विश्वव्यापी उत्पादन सञ्जालमा आबद्ध गर्ने
- १०.८.१ वस्तु र सेवा व्यापारलाई समपूरकको रूपमा विकास गर्न रणनीति तयार गरी कार्यान्वयनमा ल्याइनेछ ।
- १०.८.२ साना, घरेलु तथा मझौला उद्योगहरूलाई विश्व उत्पादन तथा आपूर्ति सञ्जालमा आबद्ध गर्दै अन्तर्राष्ट्रिय माग बमोजिमका वस्तु तथा सेवाहरूको उत्पादन र विकास गरिनेछ ।

- १०.८.३ विद्यमान श्रम शक्तिको सीप तथा क्षमता अभिवृद्धि गरी उत्पादकत्व बढाउन सम्बन्धित निकायसँग समन्वय गरिनेछ ।
- १०.८.४ वस्तुको उत्पादन र निर्यात प्रवर्द्धनमा सहयोग पुग्ने गरी सेवा क्षेत्रमा लगानी गरिनेछ ।
- १०.८.५ क्षेत्रगत नीतिहरूबीच अग्र, पृष्ठ तथा समानान्तर अन्तरसम्बन्ध कायम गराई निकासीका आधारलाई फराकिलो पारिनेछ ।
- १०.८.६ उच्च मूल्य र कम वजन भएका वस्तुहरूको उत्पादनलाई प्रोत्साहन गरी हवाई कागोबाट निर्यात गर्न प्रार्थमिकता दिइनेछ ।
- १०.८.७ निर्यातमूलक उद्योगहरूमा बहुराष्ट्रिय कम्पनीहरूलाई लगानी गर्न अनुकूल वातावरण सृजना गरिनेछ ।
- १०.८.८ वस्तु तथा सेवा व्यापार गर्ने निकायहरूबीच प्रभावकारी समन्वय सुनिश्चित गरिनेछ ।
- १०.८.९ वैदेशिक व्यापारको क्षेत्रमा दक्ष एवं कुशल जनशक्ति तयार गर्न शैक्षिक संस्थाहरूसँग सहकार्य गरिनेछ ।
- १०.८.१० निर्यातमूलक उद्योगहरू र प्राविधिक शैक्षिक संस्थाहरूबीच कार्यमूलक सम्बन्ध स्थापना गरिनेछ ।

#### १०.९ व्यापारसम्बद्ध बौद्धिक सम्पत्ति सम्बन्धी अधिकारको प्रवर्द्धन र संरक्षण गरी विश्वबजारमा नेपाली उत्पादनको पहुँच बढाउने

- १०.९.१ व्यापारसम्बद्ध बौद्धिक सम्पत्ति अधिकारको संरक्षण र प्रवर्द्धनका लागि कार्यक्रमहरू सञ्चालन गरिनेछ ।
- १०.९.२ व्यापारसम्बद्ध बौद्धिक सम्पत्ति अधिकार सम्बन्धी सम्झौता (TRIPS) को धारा ६६.१ अन्तर्गत नेपालले अतिकम विकसित सदस्यका हैसियतले प्राप्त गर्ने छूटको अवधिलाई क्षमता अभिवृद्धिमा उपयोग गरिनेछ । साथै धारा ६६.२ मा भएको प्रविधि हस्तान्तरणको प्रावधान कार्यान्वयनको लागि अन्तर्राष्ट्रिय स्तरमा पहल गरिनेछ ।
- १०.९.३ निर्यात सम्भाव्य वस्तुहरूको भौगोलिक सांकेतिकरण, ट्रेडमार्क, सामूहिक व्यापार चिन्ह, डिजाइन, प्याटेन्ट, गोप्य व्यापारिक सूचनाहरू (Undisclosed Information/Trade Secrets), प्रतिलिपि अधिकार लगायतका बौद्धिक सम्पत्ति अन्तर्राष्ट्रिय बजारमा दर्ता तथा संरक्षणका लागि प्रोत्साहन, सहयोग र समन्वय गरिनेछ ।
- १०.९.४ नेपालको आनुवंशिक स्रोत, परम्परागत ज्ञान, कलाकौशल, वस्तु उत्पादन गर्ने प्रक्रिया र उत्पादित वस्तुको बौद्धिक सम्पत्ति सम्बन्धी अधिकारको संरक्षण र प्रवर्द्धन गरिनेछ ।
- १०.९.५ व्यापारसम्बद्ध बौद्धिक सम्पत्ति अधिकारका क्षेत्रमा कार्य गर्ने सरकारी, गैरसरकारी तथा निजी क्षेत्रको संस्थागत क्षमता अभिवृद्धि गरिनेछ ।
- १०.९.६ व्यापारसम्बद्ध बौद्धिक सम्पत्तिको संवर्द्धन र प्रवर्द्धनबाट अधिकतम लाभ लिन सम्बद्ध निकायहरूको वार्ता सीप/क्षमता अभिवृद्धि गरिनेछ ।
- १०.९.७ नवप्रवर्तनका लागि उद्योग र अनुसन्धानमूलक संस्था एवं विश्वविद्यालयबीचको सहकार्यमा अनुसन्धान गर्न प्रोत्साहन गरिनेछ ।

११. संस्थागत व्यवस्था

११.१. बोर्ड अफ ट्रेड

११.१.१. व्यापार प्रवर्द्धनका लागि आवश्यक नीति तर्जुमा कार्यमा सहयोग पुर्याउन, व्यापार सहजीकरण गर्न एवं नीतिको अनुगमन र अन्तर-निकाय समन्वय गर्न निजी क्षेत्र समेतको सहभागितामा केन्द्रीयस्तरमा देहाय बमोजिमको बोर्ड अफ ट्रेड गठन गरिनेछ :

वाणिज्य तथा आपूर्ति मन्त्री / राज्यमन्त्री	अध्यक्ष
वाणिज्य तथा आपूर्ति सहायक मन्त्री	सदस्य
मुख्य सचिव, नेपाल सरकार	सदस्य
सदस्य, राष्ट्रिय योजना आयोग (वाणिज्य क्षेत्र हेर्ने)	सदस्य
गभर्नर, नेपाल राष्ट्र बैंक	सदस्य
सचिव, प्रधानमन्त्री तथा मन्त्रीपरिषदको कार्यालय (आर्थिक तथा पूर्वाधार हेर्ने)	सदस्य
सचिव, अर्थ मन्त्रालय	सदस्य
सचिव, उद्योग मन्त्रालय	सदस्य
सचिव, कानून, न्याय, संविधान सभा तथा संसदीय मामिला मन्त्रालय	सदस्य
सचिव, कृषि विकास मन्त्रालय	सदस्य
सचिव, परराष्ट्र मन्त्रालय	सदस्य
सचिव, वाणिज्य तथा आपूर्ति मन्त्रालय	सदस्य
महानिदेशक, वाणिज्य तथा आपूर्ति व्यवस्थापन विभाग	सदस्य
कार्यकारी निर्देशक, व्यापार तथा निकासी प्रवर्द्धन केन्द्र	सदस्य
अध्यक्ष, नेपाल पारवहन तथा गोदाम व्यवस्था कं. लि.	सदस्य
अध्यक्ष, नेपाल उद्योग वाणिज्य महासंघ	सदस्य
अध्यक्ष, नेपाल उद्योग परिसंघ	सदस्य
अध्यक्ष, नेपाल चेम्बर अफ कमर्स	सदस्य
अध्यक्ष, नेपाल घरेलु तथा साना उद्योग महासंघ	सदस्य
अध्यक्ष, सुनचाँदी रत्न तथा आभुषण महासंघ	सदस्य
वाणिज्य वा अर्थशास्त्र विषयमा विशेषज्ञता हासिल गरेका राष्ट्रियस्तरका विश्वविद्यालयका प्राध्यापक वा सहप्राध्यापक मध्येबाट मनोनीत विज्ञ २ जना	सदस्य
वाणिज्य तथा आपूर्ति मन्त्रीबाट मनोनीत अर्थ, वाणिज्य र आर्थिक कूटनीतिको क्षेत्रका विज्ञमध्येबाट कम्तिमा २ जना महिला सहित ४ जना	सदस्य
सह-सचिव, योजना तथा अन्तर्राष्ट्रिय व्यापार सहयोग महाशाखा, वाणिज्य तथा आपूर्ति मन्त्रालय	सदस्य-सचिव

११.१.२. उल्लिखित पदेन सदस्यहरू बाहेक वाणिज्य तथा आपूर्ति मन्त्री / राज्यमन्त्रीले आवश्यकतानुसार कुनै व्यक्ति वा विज्ञलाई बैठकमा भाग लिन आमन्त्रण गर्न सक्नेछ। नेपाल सरकारले बोर्डका सदस्यहरूमा आवश्यकतानुसार थपघट र हेरफेर गर्न सक्नेछ। बोर्डको बैठक

कम्तिमा दुई महिनामा एक पटक बस्नेछ। बैठक सम्बन्धी कार्यविधि बोर्डले तय गरे बमोजिम हुनेछ।

- ११.१.३. बोर्डको मुख्य काम वाणिज्य नीतिको कार्यान्वयनमा समन्वय गर्ने, परिमार्जनको लागि सरकारलाई सिफारिस गर्ने र कार्यान्वयनमा परेको बाधा-व्यवधान हटाउन सरकारलाई सुझाव दिने हुनेछ।
- ११.१.४. बोर्डले आयात निर्यात व्यापारमा देखिएका बाधा-व्यवधानहरू हटाउन निर्णय गर्ने तथा व्यापार सहजीकरणका लागि आवश्यक अन्य कार्यहरू समेत गर्नेछ।
- ११.१.५. बोर्डको कामलाई थप प्रभावकारी बनाउन आवश्यकता अनुसार उप-समितिहरू गठन गर्न सकिनेछ।
- ११.१.६. मनोनित सदस्यको पदावधि २ वर्षको हुनेछ।

## ११.२. व्यापार प्रवर्द्धन प्रतिष्ठान

निर्यातयोग्य वस्तु तथा सेवा र बजारको विकासका लागि प्रभावकारी भूमिका खेल्न सक्नेगरी मौजुदा व्यापार तथा निकासी प्रवर्द्धन केन्द्रलाई आवश्यक सांगठनिक संरचना र स्रोतसाधन सहितको व्यापार प्रवर्द्धन प्रतिष्ठान नामको स्वायत्त संस्थामा रूपान्तरण गरिनेछ। सेवा व्यापारको प्रवर्द्धनको लागि प्रतिष्ठान अन्तर्गत छुट्टै सेवा व्यापार सम्बन्धी संयन्त्र स्थापना गरिनेछ। व्यापार प्रवर्द्धन प्रतिष्ठानले निम्न कार्यहरू गर्नेछ :-

- ११.२.१. व्यापार सम्बन्धी अध्ययन, अनुसन्धान, वस्तु विकास र निकासी प्रवर्द्धन सम्बन्धी कार्य गर्ने,
- ११.२.२. व्यापार प्रवर्द्धनका लागि आन्तरिक एवं बाह्य सूचना तथा जानकारी र व्यापार सम्बन्धी तथ्याङ्क सङ्कलन, प्रशोधन, विश्लेषण तथा सूचना सम्प्रेषण गर्ने मुख्य संयन्त्रको रूपमा काम गर्ने,
- ११.२.३. सामान्य ग्राह्यता पद्धति (Generalized System of Preference) र जि.एस.टि.पी (Global System of Trade Preference) सुविधाका सम्बन्धमा नियमित रूपमा अभिलेख राख्ने तथा व्यवसायीहरूलाई जानकारी गराउने।
- ११.२.४. अन्तर्राष्ट्रिय व्यापारको प्रवृत्ति, वर्तमान अवस्था तथा भावी कार्यदिशा र नेपालले सो सन्दर्भमा लिनुपर्ने नीतिगत कदमहरूबारे विश्लेषणात्मक राय/सुझाव दिनसक्ने गरी अनुसन्धानमूलक संस्थाको रूपमा कार्य गर्ने,
- ११.२.५. बहुपक्षीय, क्षेत्रीय तथा द्विपक्षीय व्यापार सन्धि/सम्झौताहरूबाट उपलब्ध अवसर र उत्पन्न चुनौतीहरूको सम्बन्धमा सूचना सम्प्रेषण गर्ने,
- ११.२.६. निर्यात र आयातको व्यवस्थापन सम्बन्धी सम्पूर्ण कानुनी तथा प्रशासनिक प्रावधानहरू, भन्सार तथा गैरभन्सारजन्य प्रावधानहरू एवं अन्य सूचना र तथ्याङ्कहरू समावेश भएको ट्रेड पोर्टल को विकास र सञ्चालन गर्ने,
- ११.२.७. निर्यात प्रवर्द्धनका लागि आवश्यक पर्ने बजार सम्बन्धी सूचनाको सङ्कलन, प्रशोधन एवं वितरण गर्ने,

- ११.२.८. निर्यात र आयातलाई व्यवस्थित गर्नका लागि निर्यातकर्ता र आयातकर्तालाई सङ्केत नम्बर प्रदान गर्ने,
- ११.२.९. उल्लिखित कार्यका अतिरिक्त व्यापार मेला तथा प्रदर्शनीको आयोजना गर्ने एवं आयोजित मेला प्रदर्शनीमा सहभागिता सम्बन्धी कार्यमा समन्वय गर्ने ।

## १२. आर्थिक पक्ष

यस वाणिज्य नीति, २०७२ को कार्यान्वयनमा निजी क्षेत्रको महत्वपूर्ण भूमिका रहनेछ । निजी क्षेत्रको लगानी वाणिज्य क्षेत्रमा प्रवाहित गर्न आवश्यक समन्वय गरिनेछ । सरकारी संयन्त्रबाट कार्यान्वयन गरिनुपर्ने कार्यहरू सम्बन्धित निकायहरूका वार्षिक योजना तथा कार्यक्रमहरू मार्फत कार्यान्वयन गर्नुका साथै सम्बन्धित विकास साभेदारहरूसँग समन्वय तथा सहकार्य गरिनेछ ।

## १३. कानूनी व्यवस्था

प्रस्तुत नीतिको कार्यान्वयनको लागि ऐन, नियम, निर्देशिका निर्माण गरी कानूनी व्यवस्था सुदृढ गर्नका लागि निम्न कार्यहरू गरिनेछ :

- (क) क्षेत्रगत रूपमा छरिएर रहेका वाणिज्य सम्बन्धी कानूनहरूलाई नेपालले विश्व व्यापार सङ्गठनमा गरेका प्रतिबद्धताहरू समेतलाई दृष्टिगत गरी समय सापेक्ष सुधार तथा परिमार्जन सहित एकीकृत गरी लागू गरिनेछ ।
- (ख) निर्यात र आयातलाई व्यवस्थापन गर्ने सम्बन्धी अद्यावधिक कानूनको तर्जुमा गरी लागू गरिनेछ ।
- (ग) एन्टीडम्पिङ्ग, काउन्टर भेलिङ्ग र सेफगार्ड सम्बन्धी कानून तर्जुमा गरी लागू गरिनेछ ।
- (घ) आन्तरिक बजार व्यवस्थापन सम्बन्धी नीति तथा निर्देशिका तर्जुमा गरी लागू गरिनेछ ।
- (ङ) उत्पत्तिको प्रमाणपत्र जारी गर्ने सम्बन्धी निर्देशिका तर्जुमा गरी लागू गरिनेछ ।
- (च) सेवा व्यापारको प्रवर्द्धन र व्यापारसम्बद्ध बौद्धिक सम्पत्तिको संरक्षण सम्बन्धी आवश्यक नीति तथा कानूनको व्यवस्था गरिनेछ ।

## १४. अनुगमन र मूल्याङ्कनसम्बन्धी व्यवस्था

वाणिज्य नीति, २०७२ को कार्यान्वयनको समग्र स्थितिको वार्षिक तथा आवधिक मूल्याङ्कन वाणिज्य तथा आपूर्ति मन्त्रालयले गर्नेछ । यसका साथै मन्त्रालय अन्तर्गतका वाणिज्य तथा आपूर्ति व्यवस्थापन विभाग, व्यापार तथा निकासी प्रवर्द्धन केन्द्र लगायतका निकायहरूले आ-आफ्नो क्षेत्राधिकार भित्र रही नियमित अनुगमन र मूल्याङ्कनको कार्य गर्नेछन् । त्यस्तो अनुगमन र मूल्याङ्कन कार्यको समग्र समीक्षा वाणिज्य तथा आपूर्ति मन्त्रालयले गर्ने र सोको आधारमा नीतिमा आवश्यकतानुसार समायोजन गर्दै लगिनेछ ।

## १५. जोखिम तथा अनुमान

### १५.१ जोखिम

खुला एवं उदार वाणिज्य नीति अवलम्बन गरी अन्तर्राष्ट्रियस्तरमा प्रतिस्पर्धा गर्न आन्तरिक वस्तु तथा सेवाको गुणस्तर र उत्पादकत्वमा वृद्धि र बजार पहुँचका

उपलब्ध अवसरहरूको प्रभावकारी उपयोग गर्न नसकिएमा निर्यात वृद्धि हुन नसक्ने हुँदा यस पक्षलाई ध्यानमा राखी व्यापार घाटा कम गर्नेतर्फ सचेत हुनुपर्ने देखिएको छ। आर्थिक वृद्धि, रोजगारी सृजना, आय आर्जन एवं समष्टिगत आर्थिक विकासतर्फ वाणिज्य क्षेत्रको योगदान परिर्लक्षित गर्न सकिएमा मात्र यस क्षेत्रको विकास प्रयासले सार्थक नतिजा हासिल गर्न सघाउ पुग्नेछ।

#### १५.२ अनुमान

यस नीतिको कार्यान्वयनमा सरकारी, निजी, सहकारी तथा विकास साभेदारहरूबीच प्रभावकारी समन्वय र सहकार्य हुनेछ। नीतिको सफल कार्यान्वयनबाट आर्थिक विकास र गरिबी निवारणमा महत्वपूर्ण योगदान पुग्नेछ। साथै अर्थतन्त्रका अन्य महत्वपूर्ण पक्षहरू वस्तु विकास, मूल्य अभिवृद्धि, निर्यात प्रवर्द्धन, आय आर्जन र रोजगारी सृजनामा समेत योगदान पुग्नेछ।

#### १६. बाधा अड्काउ फुकाउने अधिकार

यस नीतिको कार्यान्वयनको सिलसिलामा कुनै समस्या उत्पन्न भएमा नेपाल सरकार, वाणिज्य तथा आपूर्ति मन्त्रालयले बाधा अड्काउ फुकाउन सक्नेछ।

#### १७. खारेजी र बचाउ

- (क) वाणिज्य नीति, २०६५ खारेज गरिएको छ।
- (ख) वाणिज्य नीति, २०६५ बमोजिम भए गरेका सम्पूर्ण काम कारवाहीहरू यसै नीति बमोजिम भए गरेका मानिनेछन्।

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### अनुसूची

निर्यात सम्भावनायुक्त वस्तु तथा सेवाहरूको सूची

#### वस्तुहरू(Goods)

१. अदुवा/सुठो	२. अलैंची
३. ऊनी तथा गलैंचा	४. औषधि, औषधिजन्य जडिबुटी तथा सारयुक्त तेल
५. कफी	६. कापेट
७. च्याङ्ग्रा पश्मिना तथा रेशमजन्य वस्तुहरू	८. चिनी
९. चिया	१०. जुत्ता
११. टेक्सटायल	१२. तरकारी, तरकारीको बीउ
१३. तयारी चाउचाउ	१४. तयारी पोशाक
१५. दुग्ध उत्पादन	१६. प्रशोधित छाला
१७. पश्मिना	१८. पुष्प (फूल)
१९. फलफूल	२०. फलाम र इस्पातका वस्तुहरू
२१. मह	२२. दाल
२३. सिमेन्ट	२४. सुनचाँदीका गहना तथा बहुमूल्य रत्नपत्थर
२५. हस्तकलाका वस्तुहरू	२६. हाते कागज र सोको उत्पादन

#### सेवा(Services)

१. इन्जिनियरिङ्ग
२. जलविद्युत
३. पर्यटन
४. शिक्षा
५. सूचना प्रविधि तथा बिजनेस प्रोसेस आउटसोर्सिङ्ग (IT/ BPO)
६. स्वास्थ्य सेवा
७. श्रम शक्ति (दक्ष/अर्धदक्ष)

#### द्रष्टव्यः

वाणिज्य तथा आपूर्ति मन्त्रालयले आवश्यकता अनुसार निर्यात सम्भावनायुक्त वस्तु तथा सेवाको अनुसूचीमा पुनरावलोकन गर्न सक्नेछ ।

