



## In a safer lane

States should start preparing to implement the changes in the Motor Vehicles Act

The Motor Vehicles (Amendment) Bill passed by the Lok Sabha this week will take a little more time to come into force, since it has not cleared the Rajya Sabha in the Budget session. But the changes that it proposes to the Motor Vehicles (MV) Act of 1988 are significant. The Centre assumes a direct role in the reforms, since it will introduce guidelines that bind State governments in several areas, notably in creating a framework for taxicab aggregators, financing insurance to treat the injured and to compensate families of the dead in hit-and-run cases, prescribing standards for electronically monitoring highways and urban roads for enforcement and modernising driver licensing. There is a dire need to have clear rules and transparent processes in all these areas, since transport bureaucracies have remained unresponsive to the needs of a growing economy that is witnessing a steady rise in motorisation. The bottleneck created by their lack of capacity has stifled regulatory reform in the transport sector and only encouraged corruption. There is some concern that the move to amend the MV Act overly emphasises the concurrent jurisdiction of the Centre at the cost of State powers, but the proposed changes come after a long consultation exercise. A group of State Transport Ministers went into the reform question last year, while the comprehensive recommendations of the Sundar Committee on road safety have been left on the back burner for nearly a decade.

It may appear counter-intuitive, but research shows that imposing stricter penalties tends to reduce the level of enforcement of road rules. As the IIT Delhi's Road Safety in India report of 2015 points out, the deterrent effect of law depends on the severity and swiftness of penalties, but also the perception that the possibility of being caught for violations is high. The amendments to the MV Act set enhanced penalties for several offences, notably drunken driving, speeding, jumping red lights and so on, but periodic and ineffective enforcement, which is the norm, makes it less likely that these will be uniformly applied. Without an accountable and professional police force, the ghastly record of traffic fatalities, which stood at 1,46,133 in 2015, is unlikely to change. On another front, State governments must prepare for an early roll-out of administrative reforms prescribed in the amended law, such as issuing learner's licences online, recording address changes through an online application, and electronic service delivery with set deadlines. Indeed, to eliminate corruption, all applications should be accepted by transport departments online, rather than merely computerising them. Protection from harassment for good samaritans who help accident victims is something the amended law provides, and this needs to be in place.

## Another crisis

Some give and take is the only way out of Nepal's constitutional impasse

With Madhesi parties deciding to boycott local polls scheduled for May 14, Nepal is heading for another political crisis. The boycott decision came after the Communist Party of Nepal (Maoist-Centre)-led government tabled fresh amendments to the Constitution in Parliament. Ever since the country adopted the new post-monarchy Constitution in September 2015, Madhesi parties have been demanding a redrawing of federal boundaries to reflect the fact that the community, residents of the Terai area, and other minority groups are in a majority in some new provinces. The government led by CPN(M-C) chairman Pushpa Kamal Dahal, with the Nepali Congress part of the coalition, came to power in 2016 on the promise of accommodating these demands to the extent possible and forging a reasonable consensus across the political spectrum. The government had also initiated amendments that went some way in addressing Madhesi concerns, such as the formation of a federal commission to look into a redrawing of federal boundaries, and the recognition of local languages as national ones. These amendments were, however, rejected by Madhesi parties, which stuck to a maximalist position. The opposition Communist Party of Nepal (Unified-Marxist-Leninist) also rejected them, though for being too giving. Unable to forge any consensus, the government came up with the fresh amendments as a signal that it is willing to concede some of the Madhesi demands in return for their participation in the long-pending local polls. But the absence of substantive efforts to address the federal question has resulted in a Madhesi boycott.

Nine years have passed since elections to the first Constituent Assembly were held. Beyond Nepal's transition from a constitutional monarchy to a republic, the lack of consensus on other issues pushed the finalisation of the Constitution far beyond the original remit of the Constituent Assembly, which was to have concluded the process in two years. The new Constituent Assembly elected in 2013 was less amenable to changes, especially to the state structure, and the Madhesi parties refused to accept the finalised Constitution in 2015. The impasse on the state restructuring issue has given rise to disturbing trends – jingoism, that sees Madhesi concerns as reflecting the interests of external actors such as India, and voices of secessionism among Madhesi forces who suggest that the Nepali polity is incapable of addressing the plain-dwellers' concerns. This political battle of wits has taken away much-needed focus from the dire state of the economy, which is yet to recover from the shock of the devastating earthquake of 2015. Local elections are seen as a way to allow for a much-needed administrative presence everywhere, but this cannot happen without the participation of all political forces, especially Madhesi. The government has its task cut out to manage a compromise.

# Ending nuclear lawlessness

The attempt at the UN to ban atomic weapons is based on the premise that all countries deserve equal security



ZIA MIAN & M.V. RAMANA

In the last week of March, at the United Nations in New York, history was made as diplomats from about 130 countries started formal talks on an international treaty to ban nuclear weapons. The goal is simple: declare it illegal for any country to produce, possess, stockpile, deploy, threaten to use, or use nuclear weapons. The final treaty could be approved and ready for signature before the end of this year.

Not surprisingly, none of the nine nuclear weapon countries showed up, India and Pakistan included. Numbers are not on the side of the nuclear weapons states, however. The U.S. Ambassador to the UN, Nikki Haley, staged a public boycott outside the negotiating hall but managed to rally only a ragtag band of about 20 diplomats, mostly from Eastern Europe.

Ms. Haley claimed that, as a mother, "there is nothing that I want more for my family than a world with no nuclear weapons" but she insisted that as an American "to ban nuclear weapons now would make us and our allies more vulnerable." Clearly, however, she was not willing to accord the same protection to all countries. Ironically, it took an Indian Ambassador to inadvertently puncture this claim to nuclear privilege: "The language of privilege and entitlement has no place in today's world."

The nuclear weapons ban talks are the fulfilment of a long-standing demand that all countries deserve equal security. For decades,



DEEPAK HARICHANDAN

the world has pressed the handful of countries with nuclear weapons to free humanity from the nuclear danger. The very first resolution at the UN, passed in 1946, called for a plan "for the elimination from national armaments of atomic weapons."

### The Cold War race

The driving force for the demand for a nuclear weapon-free world is a simple humanitarian impulse, the love and compassion for other human beings – as even Ms. Haley realised. Nuclear weapons are the ultimate means of mass destruction and history has shown their use brings immeasurable death and suffering. It was this realisation that led to the November 1961 UN General Assembly resolution that declared: "Any state using nuclear and thermonuclear weapons is to be considered as violating the Charter of the United Nations, as acting contrary to the laws of humanity, and as committing a crime against mankind and civilisation."

During the Cold War, the United States and the Soviet Union argued that the world was in a life or death struggle and nuclear weapons were a tragic necessity. Both sides knew no one would win in a nuclear war but they prepared to fight

regardless. It was an insane and murderous logic: since neither side could allow the other to prevail, the only acceptable outcome to both was mutual assured destruction. A handful of states followed them down into this moral pit: answer mass destruction with mass destruction. Tragically, this included India, which was warned by none other than Mahatma Gandhi that "the moral to be legitimately drawn from the supreme tragedy of the bomb is that it will not be destroyed by counter-bombs".

### Resistance of the nuclear club

The end of the Cold War offered the hope of a new start for the world. The UN General Assembly asked the International Court of Justice to rule on the legality of the threat or use of nuclear weapons. In July 1996, the court issued an advisory opinion, with two key conclusions. First, "the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law." And, second, "there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict

and effective international control." The door opened to a nuclear weapons ban.

In the 20 years since the court issued its judgment, countries with nuclear weapons have simply refused to comply. Rather than starting "negotiations leading to nuclear disarmament", they have sought to block them, choosing to launch long-term costly programmes to maintain, modernise, and in some cases augment their nuclear arsenals.

Non-nuclear states and peace movement activists went back to basics. They launched an international effort to highlight nuclear weapons capacity to cause widespread suffering and indiscriminate harm. This won support from the majority of the world's countries. At the Vienna Conference on the Humanitarian Impact of Nuclear Weapons in 2014, officials from 158 countries showed up. This process led to the adoption of a historic resolution at the UN last October "to negotiate a legally binding treaty to prohibit nuclear weapons, leading towards their total elimination".

India and Pakistan abstained from the UN vote. India's main argument was that nuclear disarmament talks should only happen at the Conference on Disarmament in Geneva. The reason was simple: the Conference on Disarmament works by consensus, which means any state can block progress. India used this feature to try to block the Comprehensive Nuclear-Test-Ban Treaty in 1996, and Pakistan now uses this power to stop talks on a treaty to ban the production of fissile materials for nuclear weapons. Their prescription would mean continued inactivity on nuclear disarmament.

**Time to force the issue**  
Most of the other nuclear weapons

states, led by the U.S., did not try to hide behind diplomatic procedure. They simply insisted that the world wait for them to decide when they are ready to give up their nuclear weapons. After 70 years, the vast majority of countries around the world suspect that day may never come. After all, the world would never have banned slavery if we had to wait for all the slave owners to agree in advance that slavery was a bad thing and that they were ready to end it.

Rather than waiting for that day, the nuclear weapon-free countries have decided to take matters into their own hands. Their first step is the ban treaty. It lays down a clear marker for what weapons the world thinks no state can seek, possess and use in wartime. This is how other weapons have been banned, be they chemical weapons, biological weapons, landmines, or cluster munitions.

Of course, as has happened in Syria with chemical weapons, there are occasional violations of the international laws banning weapons of mass destruction, but the world now condemns such actions and decent people everywhere would support efforts to find the perpetrators and bring them to justice. The possibility of violations has never stopped countries from passing laws and agreeing on what should be prohibited. India, Pakistan, and all of the nuclear weapons states should prepare to give up their arsenals or be treated as outlaws.

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## Powering India-Nepal ties

This is an opportune moment to push for electricity trade with a long-term perspective



KIRIT PARIKH

An important step in promoting electricity trade between India and Nepal took place on February 14 when Energy Secretary-level talks – known as the joint steering committee (JSC) meeting – concluded in Kathmandu. Here, it was decided to endorse the detailed project report of the 400 kV Butwal-Gorakhpur cross-border transmission line. It follows the guidelines issued by India's Ministry of Power for cross-border electricity trade on December 5, 2016.

This is an opportune moment to push for electricity trade with a long-term perspective. Nepal is short of power and will need to import power for some years to accelerate its economic growth. India has surplus capacity at present. In the years to come, it can fruitfully import flexible hydropower from Nepal to balance its fast growing renewable generation and also provide a market for Nepal's electricity. With this market, Nepal's hydro potential can be developed faster.

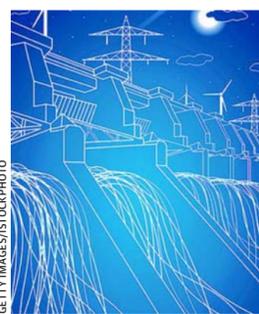
India and Nepal have been talking about electricity trade and joint projects for many years now, but somehow these talks did not succeed. It was only in 2014 when India

and Nepal signed a Power Trade Agreement that the doors opened for Nepal developers/traders to access the Indian power market. At first, Nepal was apprehensive that it would not get a fair deal trading with a large neighbour, but power is now traded in India on exchanges transparently and the price is known to all, thus assuaging some of Nepal's apprehensions.

### What the data show

Due to political uncertainty, the development of Nepal's hydro potential has been delayed. Out of an economically viable and technically feasible potential of 43.5 GW, only 0.8 GW had been developed by March 2016. Thus, a great opportunity has been missed. By selling power to India, Nepal could have developed its economy at a faster rate. Bhutan has reaped the benefit of power export to India and its per capita income in purchasing power parity adjusted for international dollars increased from \$475 in 1980 to \$7,860 in 2015. India's was \$5,730 in 2015.

Electricity is required for economic growth and well-being. In 2015, Nepal faced load-shedding of up to 16 hours a day during the dry season, when the available capacity of Nepal's hydropower decreases to a third of installed capacity. Peak load outstripped domestic power generation capacity, causing serious power shortage, which was partly met with by import from India. Nepal's electricity supply in 2015-16 was around 5,100 GWh, of



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which 3,300 GWh was domestic generation and remaining 1,758 GWh was import from India. Import has increased steadily from 746 GWh in 2011-12 to 1,758 GWh in 2015-16, an almost threefold increase. Nepal also exports electricity to India in some periods, although in very small quantity. Per capita electricity consumption in Nepal is one of the world's lowest, at 119 kWh in 2012. It has an ambitious target of reaching 16,500 MW of hydro capacity by 2030, which includes the joint project with India at Pancheshwar.

### Energy study

We at the Integrated Research and Action for Development (IRADE) have carried out a detailed modelling study which explored electricity trade potential on an hourly basis till 2045. (This study was carried out as a part of USAID-supported South Asia Regional Initiative

for Energy Integration project.) The trade takes place at a price that is acceptable to both buyer and seller. Its macroeconomic impact has also been estimated. For example, Nepal's revenue from export of electricity to India increases its ability to import more goods and also to invest more in the economy. This increases its gross domestic product, consumption and use of electricity, which improves quality of life.

The prospect of electricity trade with India makes it possible for Nepal to develop its hydropower potential and has important consequences. Even though significant exports to India will begin only from 2025 because domestic capacity development takes time, Nepal could already benefit through larger import of electricity from India. Increased availability of electricity accelerates its economic development. The construction of transmission lines to import electricity become lines to export electricity by 2025. Nepal imports 0.7 billion kWh (bkWh) in 2020 but by 2025 exports 18 bkWh, which increases to 65 bkWh by 2030 and to 113 bkWh by 2040. Its annual export revenue from the electricity trade becomes NPR 310 billion in 2030, NPR 840 billion in 2040 and NPR 1,069 billion in 2045, at 2011-12 prices. By 2045, Nepal's GDP becomes 39% larger, its per capita consumption 23% higher and per capita electricity consumption 50% higher than if trade were to continue at its modest current level.

Trade also benefits India. Meet-

ing the evening peak in India when its large solar PV capacity would not be available becomes easier and cheaper. The gains in monetary terms are comparable for both Nepal and India.

Therefore, the sooner Nepal develops its hydropower potential, the earlier the benefits. For electricity trade to materialise, policy, institutional and technical infrastructure are necessary. Building hydropower projects and transmission infrastructure is highly investment-intensive. Without a stable, long-term conducive policy and an institutional environment in place, which ensures payment security, it is unlikely that investors will put their money in this risky business. Recently, the Indian government issued guidelines and draft notification on cross-border electricity trade (CBET) policy to enable Indian/Nepal producers/traders to seamlessly exchange power with neighbouring nations.

A climate of confidence and trust in the long-term trading relationship between India and Nepal can greatly help Nepal meet its ambitious target and provide an opportunity for Indian investors to invest in Nepal. This could help us smoothen our recently strained relations with Nepal as well as strengthen our historically friendly ties.

Dr. Kirit Parikh, a former member of the Planning Commission, is Chairman, Integrated Research and Action for Development (IRADE)

## LETTERS TO THE EDITOR

Letters emailed to letters@thehindu.co.in must carry the full postal address and the full name or the name with initials.

### Bilateral tensions

It is a well-established fact that the civilian government of Pakistan has neither the power nor the authority to take on the Pakistan Army and the establishment at Rawalpindi, which is the real power centre in that country. Unfortunately, India has always been at the receiving end of Pakistan's unsavoury games, and we end up being made to look weak. Most of our carefully crafted agreements are just pieces of paper as nothing moves without the generals' approval. The Indian government must now rise from this state of political sluggishness and take strong and firm steps against Pakistan. We must have the faith and the confidence in ourselves to declare Pakistan a terrorist state and snap all ties and agreements; this includes the Indus Waters Treaty.

S.P. SHARMA,  
Mumbai

Iran's stand in this matter is quite significant as no country would risk siding with either party in such a complex situation unless it has substantial knowledge of the truth is. It's time the world community stands for justice and stops this dirty game, which India had rightly called an act of pre-meditated murder – if it is carried out.

KIRAN BABASAHEB RANSING,  
New Delhi

It is really unfortunate that the case has taken a dark turn. It is shocking that military courts have so much power that even the Supreme Court of that country cannot intervene. India has never pronounced the death penalty on a Pakistani spy. Good sense must prevail and the Pakistan civilian leadership must draw the line on its Army's overreach.

J.S. ACHARYA,  
Shell Cove, NSW, Australia

### Ground situation

It is amusing that National Conference president and three-time Chief Minister of Jammu and Kashmir Farooq Abdullah feels that India is heading towards disaster under the leadership of Narendra Modi ("The Wednesday Interview" – "I see India heading towards disaster", April 12). Has he forgotten that unprecedented mega scams took place during the rule of his coalition partner, the Congress-led UPA government? As regards the recent violence in Kashmir, it is well known that it has been burning since the last so many decades not due to local issues but as a result of issues deliberately fostered by Pakistan. Since the NC government ruled the State for long, it should accept responsibility for the deterioration of law and order in the State.

KSHIRASAGARA BALAJI RAO  
Hyderabad

The Kashmir Valley holds tremendous tourism potential, but is being made a tinderbox in order to satisfy selfish political agendas of vested interests. Youth who should be contributing their mite to the region's development are instead being used as pawns to destroy their own home. And political leaders, instead of making positive interventions, are busy in a blame game. It would have been nicer had a veteran politician like Mr. Abdullah shared his vision on the future of politics in the country. There has to be a flow of constructive ideas in the matters of utmost importance – be it a region's development, the fight against corruption and terrorism, and even saving Kulbhushan Jadhav.

PANKAJ SHARMA,  
Chandigarh

**Killing research**  
In the present era of ICT

applications for research such as online reviewing facilities through e-books and e-journals, video conferencing, webinars, communication apps, other social media that are used in all stages of research – right from problem selection, tool construction, collection of data, analysis of data, up to preparing the report – time is not a factor. This means the academic supervisors can guide a greater number of scholars. Reduction in the number of wards/students affects both the quality and quantity of research output at the doctoral level.

### CORRECTIONS & CLARIFICATIONS:

The opening paragraph of the report headed "Nepal link to Jadhav verdict?" (April 12, 2017) incorrectly referred to Lt. Col. (ret.) Muhammad Habib Zahir as a Pakistani army officer. Actually, he is a retired officer.

It is the policy of The Hindu to correct significant errors as soon as possible. Please specify the edition (place of publication), date and page. The Readers' Editor's office can be contacted by Telephone: +91-44-2818297/28576300 (11 a.m. to 5 p.m., Monday to Friday); Fax: +91-44-28552963; E-mail: readerseditor@thehindu.co.in; Mail: Readers' Editor, The Hindu, Kasturba Buildings, 859 & 860 Anna Salai, Chennai 600 002, India. All communication must carry the full postal address and telephone number. No personal visits. The Terms of Reference for the Readers' Editor are on www.thehindu.com

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Great attention should be paid to how to maintain quality in research without restricting the number of wards. Periodic training for research supervisors, better quality checks and benchmarks, stringent evaluation processes of theses, encouraging original research and a dissemination of research findings will enhance present standards of research ("No place for scholarship", April 12).

P. PREMA,  
Thanjavur