

BusinessLine

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Good move

SEBI's move to ease the regulatory process for acquirers of stressed assets by doing away with the open offer norm is welcome

The most important decision coming out of Wednesday's meeting of the Securities and Exchange Board of India (SEBI) was the one to exempt buyers of debt-laden companies from making an open offer or preferential issue. The move indicates welcome coordination between regulators in the matter of resolving the biggest issue facing the economy now. Currently, only lenders are exempt from the open offer requirement whenever they take a controlling stake in the listed borrower. Henceforth, investors who step up to acquire equity in a distressed company from the lender would also be exempt from the provisions of the Takeover Code. This is a big step that will make it just that bit easier for lenders when they set out to find prospective investors who can buy the stressed asset and turn it around. The investor will not have to spend on acquiring equity from other shareholders and can instead divert the resources to turn around the stressed asset.

The equity derivative segment needs urgent attention with signs of over-heating evident in the turnover numbers. Average daily traded volume in the derivative segment of the NSE has increased 50 per cent between December 2016 and May 2017. The point of concern is that the volume in futures and options, where smaller investors typically trade, has doubled in this period. There are some structural flaws as well. The derivative market for equities dominates the spot market with over 80 per cent share in overall turnover. Within the derivative segment, trading is mainly in index options, with other segments accounting for just one-fifth of the derivative turnover. This concentration of volume in index derivatives is not a healthy signal as it implies lack of depth. It is just as well that SEBI has now said it will hold talks on the current derivative market framework.

SEBI's move to allow category III alternative investment funds into the commodity market is a judicious one. With the launch of commodity options, increasing the users of this instrument is an imperative. Since hedge funds employ complex strategies involving spot and derivative market across asset classes, allowing entry to these investors could boost volume in this segment. An area where the regulator needs to tread with care is in making changes to laws governing foreign portfolio investors. The Board has stated that the access norms for foreign investors will be eased by allowing entry to investors from countries with whom India has diplomatic ties and by simplifying and rationalising the eligibility criteria for FPIs. With foreign funds continuing to flow into the stock market at a rapid rate, there does not seem to be any need for the regulator to ease the existing norms any further. It is also contrary to the regulator's recent moves to rein in speculative fund flows and round-tripping of funds.

# Why consumers should welcome GST

GST simplifies life for consumers by making taxes more transparent and eliminating double taxation



AARATI KRISHNAN

CIRCUIT BREAKER

As the July 1 deadline for the rollout of the Goods and Services Tax (GST) draws near, the financial press is filled with tales of woe from businesses large and small. Apart from fervent pleas to the Government to defer implementation, India Inc is worried that the new tax regime will raise costs and tax outgo. Retailers are busy with pre-GST sales urging you to indulge in one last shopping binge. But before you fall for all this propaganda, it is important to appreciate that GST is a tax reform intended to benefit consumers. Here's why you should look forward to GST.

It's an umbrella tax

A few days ago, hotels and restaurants across the Southern states downed shutters in an anti-GST protest. Reports said that compared to a VAT of 14.5 per cent being paid by the hotel industry, the GST regime would levy 18 to 28 per cent. That's technically true, but doesn't reveal the whole picture.

If you're a frequent traveller, you'll know there are several taxes besides the State VAT that bloat your hotel bill. Apart from the VAT of 10-15 per cent on food items, there's luxury tax of 3-10 per cent and service tax of 6-8 per cent on room rent. Both VAT and

luxury tax rates vary for different States and room tariffs. Post-GST though, the hotel bill will feature just one tax – the GST. Under the GST regime, stays with room rents below ₹1,000 are entirely exempt. The rate is 12 per cent for non-AC restaurants and rooms with tariffs up to ₹2,500, and 18 per cent for AC restaurants and rooms with tariffs up to ₹7,500. Premium rooms costing upwards of ₹7,500 a day alone will be taxed at 28 per cent. In effect, if you add up all the present levies, you will find hotel stays actually turning more affordable post-GST for budget and mid-range hotels.

The hotel industry's case just illustrates why a straightforward comparison of the current state VAT, Cenvat or service tax rates on any item with the new GST rate gives you a misleading picture of the impact. GST is touted as a tax reform mainly because it is an umbrella tax that subsumes many State and Central taxes. Come July 1, a single GST will stand in for a battery of taxes – central excise, service tax, additional and special additional customs duty, state VAT, central sales tax, purchase tax, entry tax and octroi. This ushers in greater transpar-

ency for consumers. It benefits manufacturers too. Instead of liaising with multiple tax authorities, the manufacturer gets to deal with a single entity – the GST Network.

It isn't inflationary

When GST was mooted, there were apprehensions that the default GST rate would be pegged at 20 per cent or higher, that service tax rates would shoot up from 15 per cent and that essential goods would attract steep levies to bolster tax revenues for the exchequer.

But these fears have been allayed by the GST Council, which has designed the rate structure to be progressive. The default GST rate is 18 per cent. Merit and essential goods (atta, milk, bread, medicines, tea, coffee) remain zero-rated or attract just a 5 per cent levy. Most packaged products attract 12 or 18 per cent. The 28 per cent rate is applied to what are perceived to be demerit goods, with a cess on 'sin' goods. A similar graded scale, rather than a blanket rate, has been applied to services too.

Yes, the reset of rates under GST will raise taxes on exempt as well as demerit goods. Quite a few services will also attract higher taxes. But with lower taxes on goods balancing out the hikes in services, GST's aggregate impact on the household budget is expected to be neutral.

A study by Nomura Securities in end-May compared existing tax rates (including VAT, excise, service tax, and so on) with the new GST rates for 196 items in the CPI basket. It concluded that GST would reduce

official CPI inflation by 0.33 per cent in the near term. An impact study by CRISIL notes that consumer items such as soaps, hair oils, two-wheelers, commercial vehicles, cars and SUVs will see a 2-12 per cent cut in tax outgo post-GST. Services such as telecom, financial services and air travel will be pricier by 3 per cent, but the burden will be reduced by input tax credits.

The GST Council has also been quite accommodative of genuine petitions for lower rates, reviewing 66 items in a recent meeting.

Don't forget input credit

A big advantage of the GST that is being swept under the carpet in the blanket rate comparisons is the seamless input tax credit.

India is already supposed to be on a value-added tax regime. But under the current fragmented system, with the Centre and States levying separate taxes, the value-added concept exists only on paper. State VAT and the central taxes cannot be set off against each other. Within Cenvat, manufacturers cannot claim set-offs for central sales tax, additional excise duty or additional customs duty on inputs used. Likewise, state VAT does not allow input credit for central sales tax, octroi or mandi tax. Tax credits on capital goods are denied both to manufacturers and service providers.

As a result, indirect taxes are often charged twice or thrice on the same good or service. The inflated bill is then glibly passed on to the consumer. By unifying taxes, GST sorts out these tangles and allows smoother tax set-offs across the value chain. This is bound to reduce selling prices for consumers.

Well aware that consumers may not be savvy enough to grasp such nuances and demand a

better deal from firms, the Centre proposes to set up an anti-profiteering agency too. This price watchdog can force firms to pass on GST benefits to consumers, levy penalties and even de-register the ones found to be 'profiteering'.

Lower costs

There's a lot of hand-wringing about the transitional issues and compliance costs that will be unleashed by GST. Yes, GST contemplates an overhaul of the present indirect tax system, possibly disrupting businesses over the next one or two quarters. But in the long run, this may be a price worth paying. By charging tax on stock transfers, GST forces firms to rejig their logistics and supply chains, which will entail costs. But in the long run, this could lead to enduring cost savings as firms can run their supply chains on purely commercial lines, instead of basing them on VAT differences between States. Filings and assessments under GST are to be entirely online, resulting in a lot of filings for taxpayers. But then, reducing personal contact between taxpayers and officials shrinks the scope for bribery and evasion.

GST imposes a tax obligation on firms dealing with unregistered suppliers, which is a pain point. But if this sweeps large swathes of the informal economy into the tax net, the higher tax collections will eventually flow to taxpayers.

In short, unlike demonetisation, GST is a reform move where one can be fairly sure that short-term pain will lead to long-term gains.



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# Hapless farmers and clueless policies

Loan waivers are not advisable. However, restrictive policies on storage, marketing and exports should be done away with

G CHANDRASHEKHAR

Starting with Tamil Nadu a few months ago, a sudden surge in farmers' protests in recent days across the country – Madhya Pradesh, Maharashtra and Karnataka – seeking waiver of farm loans has put the respective State governments and the Centre on the defensive.

It all started ten years ago with the ₹70,000-crore loan waiver announced by the previous government.

More recently, the new government in Uttar Pradesh decided to waive farm loans worth ₹37,000 crore. Farmers in other States are now demanding similar treatment. How far is it justified?

Writing off farm loans is a perverse incentive that neither helps build capacity among growers nor improves the efficiency of farm activities. It is more a dole than anything else.

Usually, receiving such an unwarranted incentive becomes habit-forming and more often than not, promotes a tendency to treat farm loans as a grant rather than as a debt.

Difficult conditions

Having said this, it is no one's case

that farmers should not be treated softly. Under Indian farm conditions, farmers are greater risk-takers, much more than industrialists, but their risk-reward profile is seldom favourable.

In most parts of the world, especially in developed economies, agriculture is almost invariably subsidised. Countries adopt various ways to deliver direct and indirect benefits to growers.

Often, they find ways to beat the commitment made under the WTO agreement (to reduce farm subsidies). In our country, agriculture enjoys little subsidy and often, suffers negative subsidy in the form of various restrictions.

The status of farmers differs across the country. For instance, in Tamil Nadu, Karnataka and parts of Maharashtra, inadequate rains, and lower prices have weakened farmers' capacity to repay loans.

The same cannot be said to be the case in Madhya Pradesh where agriculture is a success story of recent years. The annual average growth rate of agriculture in the last five years has been a spectacular 14 per cent.

Rural infrastructure, road connectivity, marketing reforms and easy credit have combined to encourage growers in MP to produce

more. Diversification from cereals to high-value horticulture crops has also meant improved incomes.

Surely, farmers in MP are much better off than their counterparts in many other States.

However, the protests there seem to have garnered disproportionate media attention and coverage primarily because of the unfortunate events in Mandsaur.

Lasting solution

Be that as it may, we have to find a lasting solution to the recurring problems of farm distress and waiver demands. Although agricul-



Needed A holistic view SUDARSHAN

ture is a State subject under the Constitution of India, it devolves on the Centre and the State governments to find practical solutions that would not unduly hurt the banking system and the fiscal situation while advancing growers' interests.

As a short-term measure, instead of writing off loans, rescheduling or restructuring them should be explored. This is particularly important in States that have suffered natural calamities, such as poor rainfall.

From a medium-to-long-term perspective, it is vital to step up policy support, investment support and research support for agriculture.

Some of the important steps to revive agriculture include:

- Strengthening the input delivery system
- Rapidly expanding irrigation facilities
- Investing farming with multiple technologies
- Investing in rural infrastructure
- Using ICT to deliver price, market and weather information to growers
- And last but not the least, work to build capacity among farmers to withstand market volatility as in-

tegration with the global market grows.

Supply-demand mismatch

All anti-farmer restrictions such as those on storage, marketing and export trade should be done away with. We have a surfeit of pulses with domestic production (224 lakh tonnes) and imports (64 lakh tonnes) reaching record highs. Yet, growers continue to desperately seek remunerative prices, but cannot because of poor export policy support and inadequate procurement support.

Soyabean growers are disillusioned as the lucrative export market for soyabean has nearly dried up in the last two years. Low prices of pulses and oilseeds cannot be treated as isolated incidents. They represent a trend that cannot be overlooked. However, policymakers seem to be clueless.

Preserving the innate pride of our farming community should be on top of the nation's agenda. Genuine growers will go back to their farm once the southwest monsoon covers the entire country in the next two weeks.

The writer is an agribusiness and commodities market specialist. Views are personal

FROM THE VIEWROOM

Cricket captain, a demigod in India

Kohli's star value, read money, prevails over reasonableness



There are few sports where the captain plays as crucial a role as in cricket. Irrespective of the format, the captain has to soak in the pressure for his teammates, make quick decisions (from bowling changes to field placements) and then ensure his own performance is up to the mark. A captain who doesn't score, or take wickets, is hardly inspiring.

That is one reason why the captain in cricket, especially in India, is like a demigod. Look at India's last five Test captains; each one of them – Sourav Ganguly, Rahul Dravid, Anil Kumble, MS Dhoni and now Virat Kohli – was, and is a superstar, and a fairly successful one at that.

In that case if there is a clash between the captain and his coach, it is inevitable that the latter has to go, isn't it? Greg Chappell made an inglorious exit in 2007, after skirmishes with Ganguly and other senior players. And now 10 years later, Kumble put in his papers after the captain, Kohli, made known his reservations with the coach's style.

But that is hardly a fair assessment. Ask Gary Kirsten, arguably one of India's most successful and loved coaches. The 'man management role' that a coach does is a 'massive task,' Kirsten told *The Indian Express*. Kumble seemed to have been doing well, but had to quit in spite of some stellar performances by the team.

If this were football, it would have been Kohli who would have been looking at the exit door. Almost every star player-manager clash in football has ended in the latter's favour. Remember the Ferguson-Beckham or Scolari-Romario episodes?

Sadly, Indian cricket is governed by a Board that is a mess in itself. Instead of telling the players to fall in line, it opted to toe the line of a superstar who gets ticket sales and viewer-ship.

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LETTERS TO THE EDITOR

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Damaging poll promises

An economic policy initiative's main intention is price stability with greater employment opportunities and growth of economic activity. Unfortunately, the States' decisions on farm loan waivers do not seem to be viable.

These waivers were campaign promises. Before polls in Punjab, Amarinder Singh promised to waive loans irrespective of the farmer's ability to repay them, provide smart phones to a section of society whose household income is less than ₹6 lakh per annum, and pay unemployment allowance of ₹2,500, for 36 months if the government fails to employ one youth from each household of the state, and so on.

Sticking to such irrational commitments for Punjab, a State with more than 30 per cent debt-GDP ratio, appears to be infeasible and unsustainable. Declaration of ₹20,000-crore loan waiver has fur-

ther pushed the State's economy for an irreparable damage. Other States have followed suit. With such precedents, in near future, we would certainly arrive at an increased level of NPAs in agriculture sector. It would also increase farmers suicides.

Every citizen has equal rights over State's revenue. With 82 per cent of our workforce in the informal unorganised sector, there are many who need the States' and Centre's attention.

Sagarika Mishra  
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Kovind's naming, BJP's triumph

By nominating Ram Nath Kovind for the next Presidential election both Prime Minister Narendra Modi and the BJP have taken most of the opposition leaders by surprise.

Now many of them have extended support. Others will find it tough to oppose his candidature.

It is a kind of masterstroke by the ruling party as it has literally created a huge rift among the Opposition which was trying to join hands against the BJP in the wake of BJP's winning streak in recent State elections. And choosing a Dalit candidate, which constitutes a majority of the country's vote bank, has forced the opposition to re-think saying no to Kovind's candidature.

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Poll strategy for 2019

It seems that the BJP has tactfully pierced the unity of opposition parties, as it has chosen to field Ram Nath Kovind as President.

But one may reckon that the BJP has been forced to nominate a Dalit candidate only in the wake of the grand alliance of opposition parties. Otherwise, the BJP would have chosen a candidate at its will or as dictated by the RSS. After all,

the BJP has well used this Presidential election as a pitch for bringing back its old allies (JD - U and BJD) to weave a strong coalition ahead of the 2019 general elections. The current political scenario suggests that the President election will turn out to be a golden opportunity for the BJP to grab some political parties in its fold.

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Don't ban participatory notes

The alleged move by SEBI to phase out issuance of participatory notes (PN) is an ill-conceived one. PN being an overseas derivative instrument with stocks being the underlying asset, investors have a right to subscribe to such instruments to protect themselves from market/currency risk. SEBI has alleged that it is being misused by individuals/companies to remain anonymous and launder money. The problem lies in its implement-

ation. Hence the logical step would be to tighten the rules governing its issuance rather than advocate a total ban on it.

Foreign portfolio investors (FPIs) who are SEBI-registered entities and with whom foreign investors open accounts to buy stocks through PN should be made accountable for deviations and misuse. There has to be an ongoing risk assessment mechanism put in place to track changes in the ownership pattern of partnership firms/ trusts/unincorporated bodies who invest in such instruments. Its sudden withdrawal might lead to a market crash like in 2007 when SEBI had imposed a temporary ban. A ban on PN is akin to RBI prohibiting commercial banks from opening trading accounts as there is a risk of traders misusing derivatives for speculative purposes.

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