

INDIA FISCAL BUDGET 2011

organiser

**Industrie- und Handelskammer
Indo-German Chamber of Commerce**

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presented by

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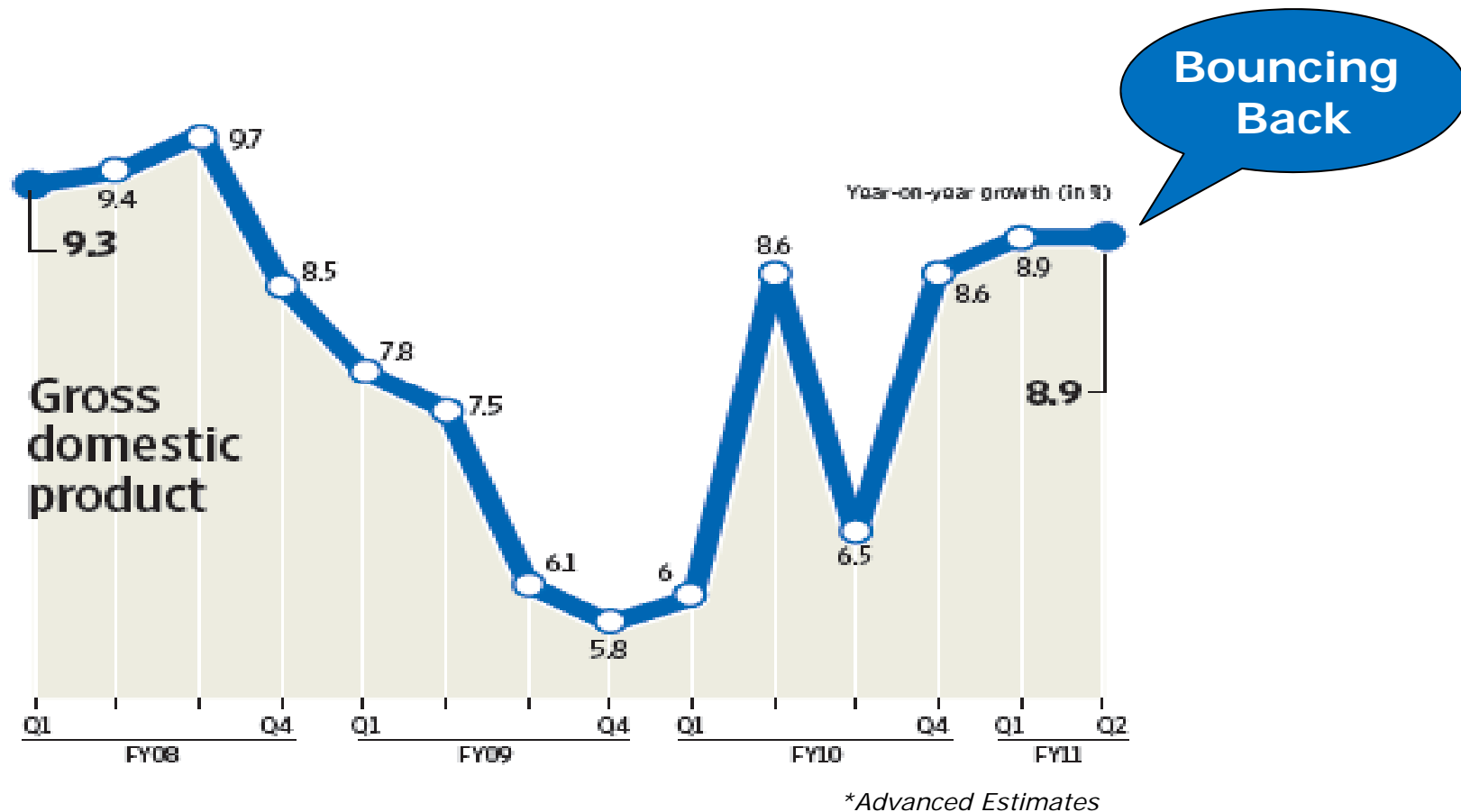
ASA & Associates chartered accountants www.asa.in

PRESENTATION OUTLINE

- India Tour
- Revisiting Past Budgets
- India Fiscal Budget 2011 – *Key Take Away*
- Realigned Regulatory Environment
- Key Macro Trends

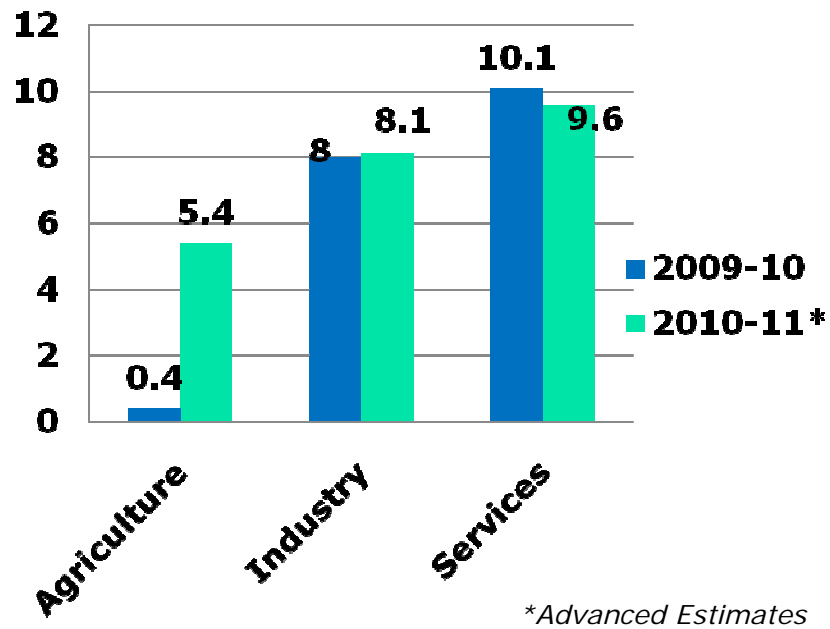
INDIA TOUR

REGAINING ECONOMY...



... BECAUSE OF ...

All Three Sectors Grew Well



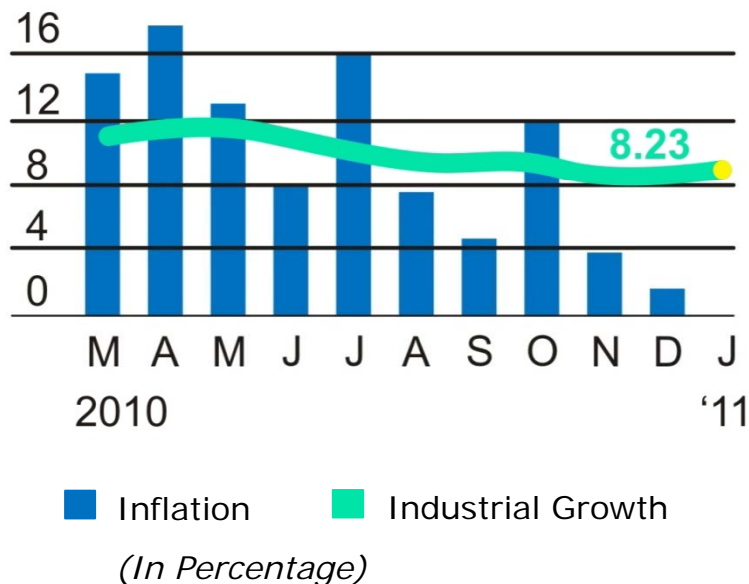
And Global Recovery Helped Too

Real GDP Growth (%)	2009	2010*
USA	-2.6	2.6
UK	-4.9	1.7
Germany	-4.7	3.3
China	9.0	10.4
Japan	-5.2	2.8
Brazil	-0.1	7.5

**IMF Estimates*

... AND THE RISK IS

High Inflation and Slack in Industrial Growth



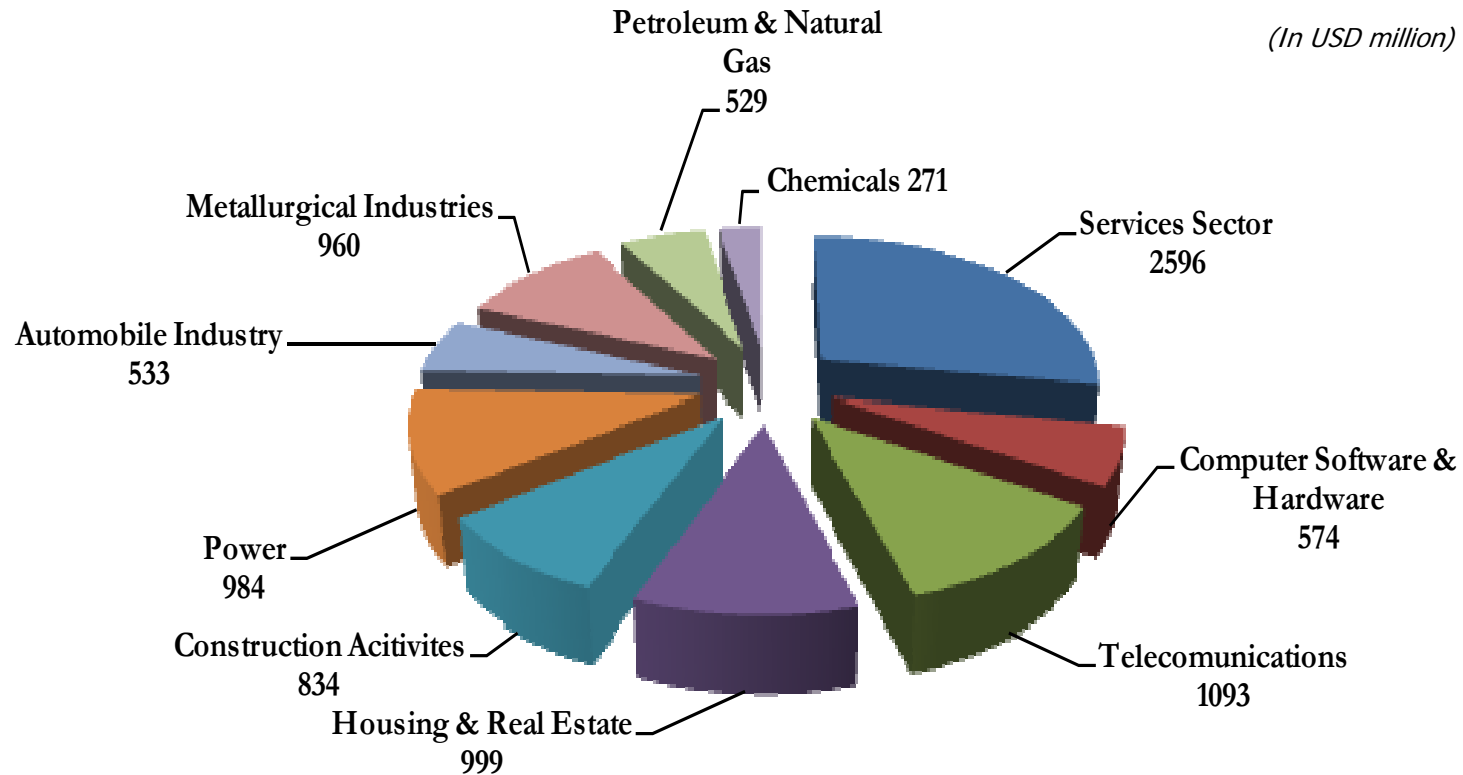
pose new challenges because:

- Interest rates will have to rise to curb inflation, which will further impact industrial growth
- Current account deficit may not fall as is expected in the Survey
- Quality and quantity of government expenditure is still a worry
- Critical policy reforms are still stuck in political logjam

FOREIGN DIRECT INVESTMENT – COUNTRY WISE

FDI INFLOWS (Top ten countries) (in USD million)					
Rank	Country	2009-2010	2010-11 (April' 10 to November' 10)	Cumulative Inflows (April' 00 to November' 10)	% of total Inflows
1	Mauritius	10376	5158	52398	42
2	Singapore	2379	1367	11557	9
3	USA	1943	926	9204	7
4	UK	657	385	6269	5
5	Netherlands	899	802	5289	4
6	Japan	1183	917	4631	4
7	Cyprus	1627	598	4498	4
8	Germany	626	104	2903	2
9	France	303	340	1870	2
10	UAE	629	278	1828	1

FOREIGN DIRECT INVESTMENT – SECTOR WISE



REVISITING PAST BUDGETS

NEED OF THE HOUR – THINK OUT OF THE BOX

- ❑ Impetus on **Foreign Direct Investment**
- ❑ **Industrial licensing** abolished (but for certain industries)
- ❑ Government owned and other dominant companies subject to Monopolies & Restrictive Trade Practices Act
- ❑ Private players allowed to enter into infrastructure sectors
- ❑ Introduction of **tax on services** at 5 per cent
- ❑ Tax sops offered on inflow of foreign exchange. **Import duties slashed** to almost 1/6th and tax incentives offered on export of services

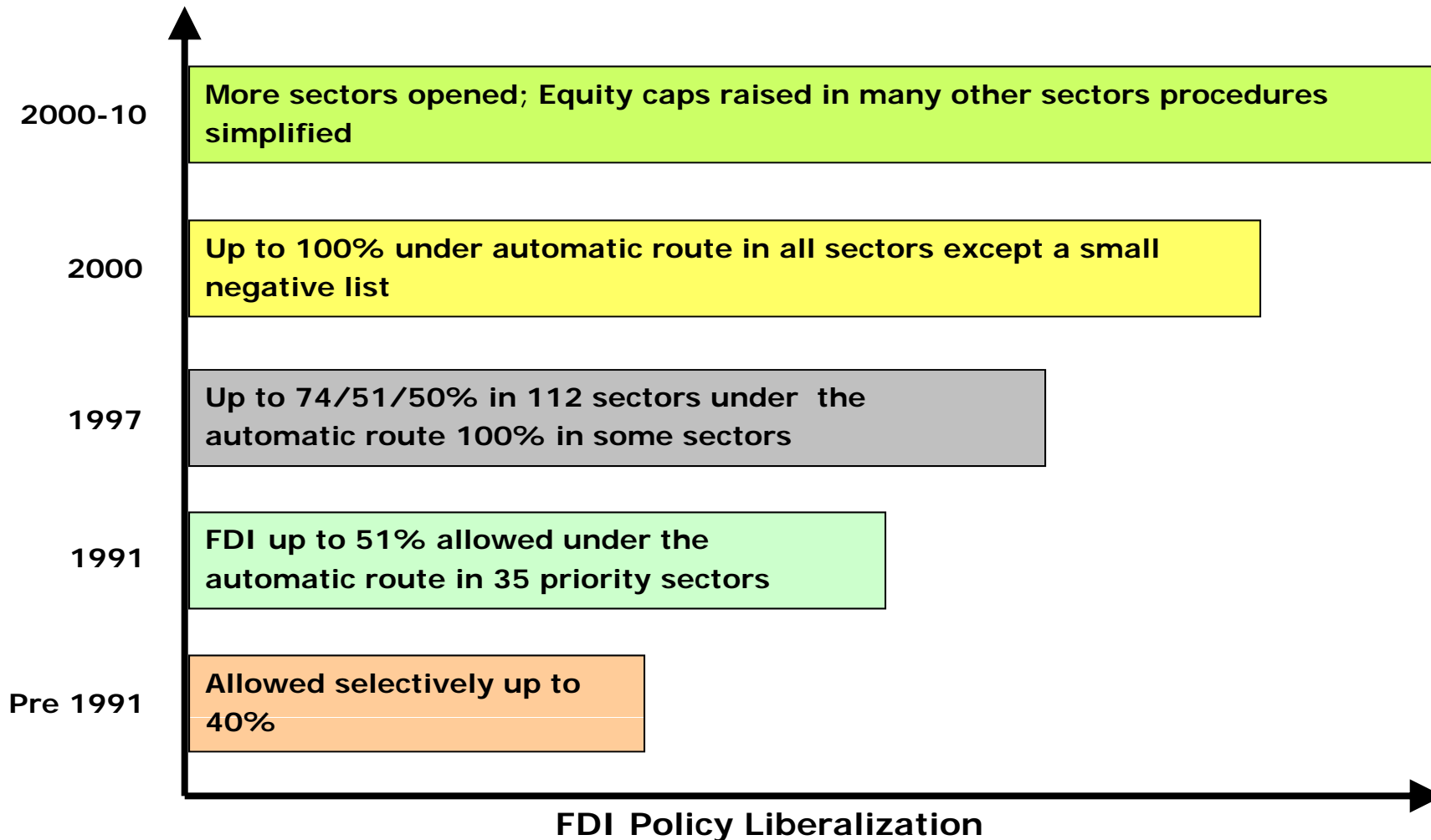
KEEP IT GROWING

- ❑ **Foreign Direct Investment** norms further liberalised
- ❑ Prime focus on growth of infrastructure. Major tax sops offered and compliance simplified
- ❑ Higher focus on service sector; scope widened and rate increased to 10 per cent
- ❑ **Direct tax rates** lowered and compliance simplified
- ❑ **Special Economic Zone ('SEZ')** Act notified
- ❑ **Tax incentives for export of goods withdrawn** in a phased manner

AIMING FOR INCLUSIVE GROWTH

- ❑ **Social focus** becomes high priority
- ❑ **Infrastructure** becomes prime focus with guided government expenditure e.g. *Delhi Mumbai Industrial Corridor*
- ❑ Streamlining archaic laws vis
 - ❑ Items reserved for Small Scale Industries (*abolished*)
 - ❑ Fringe Benefit Tax (*abolished*)
 - ❑ Goods and Services Tax (*concept laid*)
 - ❑ Direct Tax Code (*placed for public opinion*)
 - ❑ New Companies Bill (*set in motion*)
- ❑ **Look East Policy** set in motion through Free Trade Agreement (*'FTA'*) with Korea, Thailand, etc
- ❑ Stronger Corporate Governance – E-governance project of the Ministry of Corporate Affairs

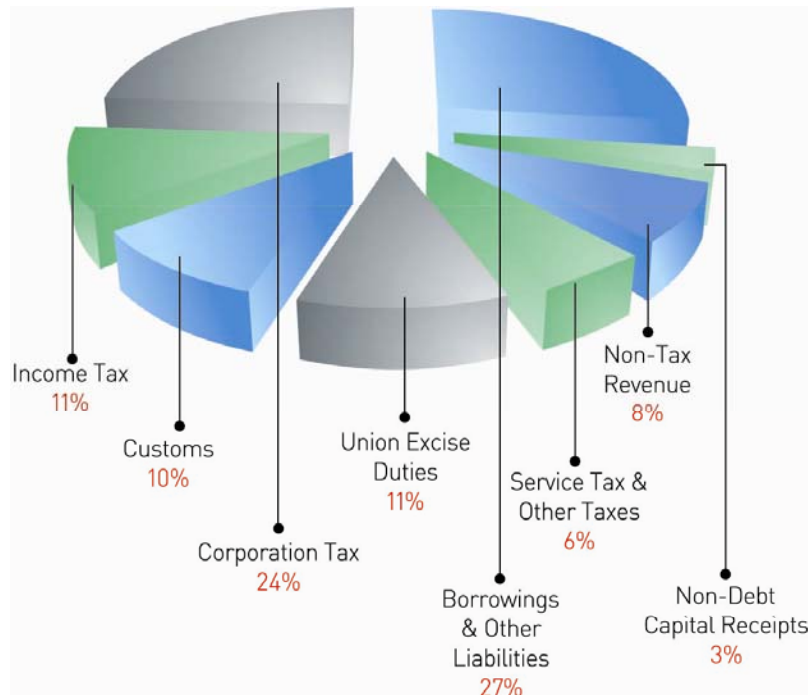
RE-VISITING PAST BUDGETS ~ FDI POLICY



INDIA FISCAL BUDGET 2011

– *KEY TAKE AWAY*

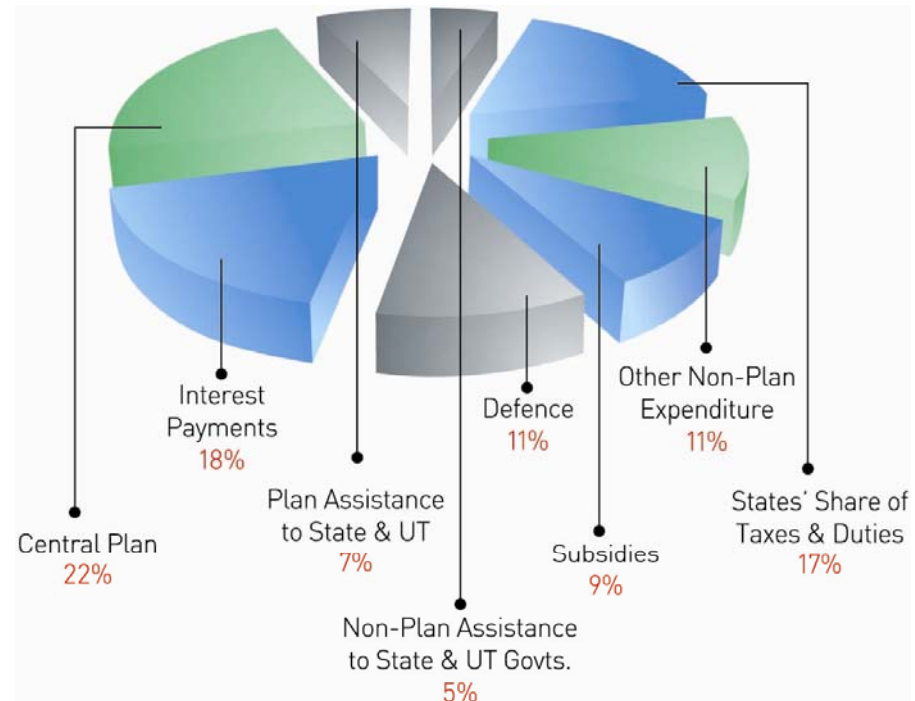
AT A GLANCE



Rupee Comes From

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Rupee Goes To



DIRECT TAXES

- ❑ Surcharge on domestic and foreign companies reduced to 5 per cent and 2 per cent respectively
- ❑ Minimum Alternate Tax enhanced - 18 to 18.5 per cent
- ❑ Dividend from foreign subsidiary of an Indian corporate taxable at special rate of 15 per cent

INDIRECT TAXES

- ❑ Overall customs, excise duty and service tax rates unchanged
- ❑ Existing basic customs duty unified at 2.5 per cent
- ❑ **Point of Taxation Rules on services** from April 1, 2011

COMMERCE & TRADE FOCUS

- ❑ In focus – infrastructure and agriculture
- ❑ Mutual funds permitted to receive foreign investment
- ❑ Financial Sector Legislative Reforms Commission created

INFRASTRUCTURE SECTOR

- ❑ Core sectors such as **telecommunication, civil aviation** have witnessed significant growth
- ❑ Total power generation grew from 571.5 to 597.7 billion KWh during April-December 2010
- ❑ The Indian Railways registered a growth of 6.5 per cent
- ❑ The **National Highways Authority of India** has already awarded projects of 4600 Km in 2010-11 and plans to award remaining 2400 km by March end 2011

REALIGNED REGULATORY ENVIRONMENT

POLICY FRAMEWORK – IN THE HORIZON

- Direct Tax Code *(April 1, 2012)*

- New Companies Bill *(awaited)*

- Indirect Taxes - Goods & Services Tax *(April 1, 2012)*

- International Financial Reporting Standards *(April 1, 2011)*

DIRECT TAX CODE ('DTC')

- ❑ **Tax rates** rationalized - corporate to pay a reduced tax of 30 per cent
- ❑ Tax on **royalties** enhanced - 20 per cent on gross payment
- ❑ Domestic companies to still pay a **dividend distribution tax** at 15 per cent. Similarly, foreign companies now to pay branch profit tax at 15 per cent on post tax profits
- ❑ Fresh tax exemptions to be 'investment linked' rather than 'profit linked'

DIRECT TAX CODE ('DTC')

- Introduction of **General Anti Avoidance Rule ('GAAR')** wherein commercial expediency of international transactions can be challenged by the authorities; primarily to check contentious issues viz. check round trip financing, lifting of corporate veil etc
- Provisions of DTC to have **overriding effect** over past tax treaties signed by India under specific circumstances

NEW COMPANIES BILL 2009

- ❑ Introduction of **One Person Company** (*'OPC'*)
- ❑ OPC can be formed for charitable purpose as well
- ❑ Companies can be struck off if business not commenced within one year of its incorporation
- ❑ **One Resident Director** mandatory for all companies
- ❑ A Whole-Time Director not to hold office in more than one company unless permitted by the company

INDIRECT TAXES

- Central Sales Tax / VAT & Service Tax – to be merged into a single Goods & Service Tax ('GST') by **April 1, 2012**

INTERNATIONAL FINANCIAL REPORTING STANDARDS (*IFRS*)

- India to have two sets of Accounting Standards
 - Indian Accounting Standards (*IAS*)
 - IFRS Converged Indian Accounting Standards (*IFRS-AS*)
- IFRS-AS will become applicable to listed companies in phases beginning from **April 1, 2011**
- Paradigm shift in the basis of recording transactions
 - Impresses substance over form
 - Detailed disclosures required

KEY MACRO TRENDS

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- ❑ Growing **Urbanization**
 - ❑ 325 million urban population, growing to 500 million by 2025
 - ❑ Driving expansion in sectors like energy, education, cleantech
- ❑ Emphasis on **Infrastructure** creation
 - ❑ Big thrust in the 5 year plans of the central government
 - ❑ Driving demand for healthcare, energy, roads, ports, airports, etc
- ❑ Growing **Consumerism**
 - ❑ Driving growth in retail chains, apparels, restaurants, cars, etc

KEY MACRO TRENDS IN INDIA

- ❑ Corporatization of **Services**
 - ❑ “Unorganised” Mom and Pop business moving to “Organised” corporate chains
 - ❑ Driving expansion in education, security services, repairs / refurbishment
- ❑ Inclusive **Financial Growth**
 - ❑ “Priority sector lending” by the Reserve Bank of India driving provision of financial services
 - ❑ Banks providing expanded Consumer financial products (home loans, education loans)

KEY SECTORS

- ❑ Infrastructure
- ❑ Energy
- ❑ Retail
- ❑ Auto & Auto Components
- ❑ Education
- ❑ Pharmaceuticals / Healthcare

THANK YOU