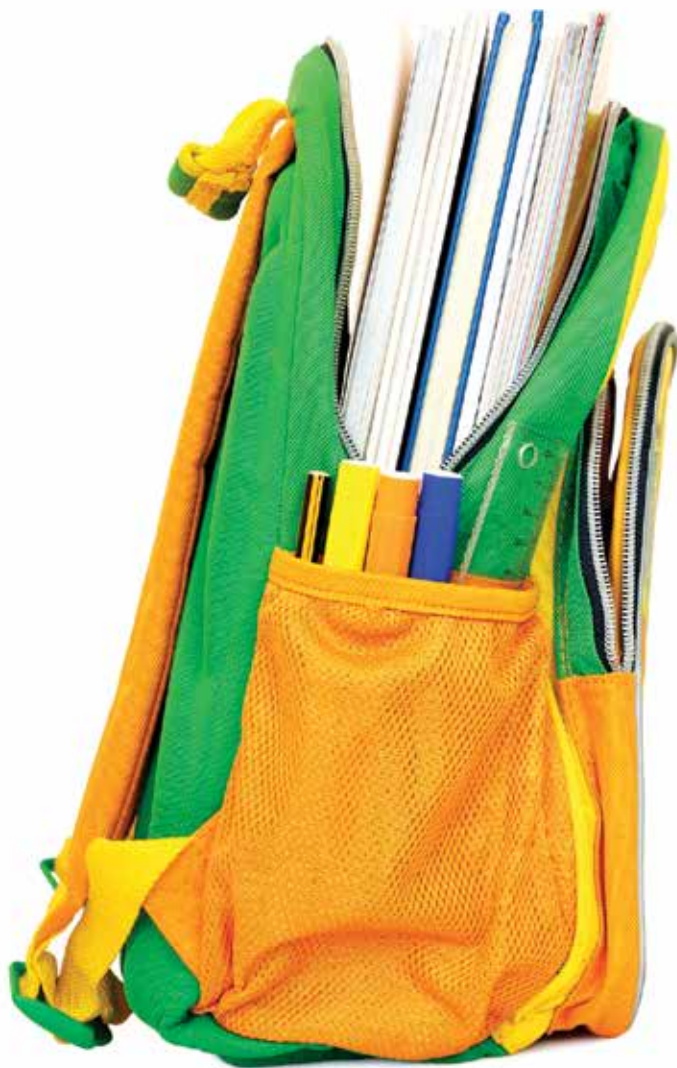


Edu Sector Access Perspectives on education, skill and employment



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Foreword

Welcome to the second edition of **Edu Sector Access!**

We would like to begin by thanking our readers for an overwhelming response to the first edition of our newsletter. In the last quarter, Deloitte India had the privilege of authoring a couple of thought leadership reports, as knowledge associates, for prestigious events such as CII Conference on School Education and Skill Con India 2013. Our report in CII conference was released by Dr. Shashi Tharoor, Hon'ble Minister of State for Human Resource Development.

The education sector continues to remain in focus with the Finance Minister, in his Union Budget 2013 speech, highlighted the critical role it plays in the life of an individual. He also mentioned that education is a high priority of the Government thereby increasing the allocation to this sector by 17% to ₹65,867 crores (\$12 bn). Further, in order to address the challenge of increasing number of unskilled youth entering the job market, the Government has proposed to provide a monetary incentive of ₹10,000 to an individual passing a recognized skill based training course. The total allocation for this scheme under this budget is ₹1,000 crores (\$180 mn).

The above initiatives clearly indicate the Government's intent to reap the benefit of the country's favorable demographic structure by focusing on development of sound human capital. Such an asset can be India's distinctive edge over other nations in the years to come. The importance of all forms of education especially higher education, which equips an individual with skills to gain employment, thus becomes critical. In this regard, the Government is proposing a scheme called RUSA which will focus exclusively on transforming the higher education landscape in the country. The scheme lays down a totally different approach for increasing focus while ensuring the fundamental principles of access, equity and excellence remains intact. A copy of the scheme is available on MHRD's website for review.

To complement the above measures to reform the higher education sector, UGC has recently released regulations making it mandatory for all Central/

State Universities and colleges (other than technical institutions) to get accredited. Any failure to comply with these regulations will attract penal provisions including removal of impugned institute from the list of HEIs by UGC and declaring the institute as ineligible for any future grants. This seems to be a step in the right direction as it seeks to improve transparency and accountability in the system. As per our discussions with the Government the technical institutes (engineering, business schools etc.) will also be brought within the ambit of mandatory accreditation in the near future. As per recent press reports, a private accreditation body called Indian Centre for Assessment and Accreditation (ICAA) has been set up headed by Mr. T V Mohandas Pai as Chairman and former UGC chairman, Mr. Arun Nigavekar as chief advisor. ICAA will be assessing universities based on access, equity and quality.

The long awaited Foreign Educational Providers Bill, which seeks to permit foreign educational institutions to set up campuses in India and award degrees, has recently been approved by Parliamentary Standing Committee consisting of members of key political parties. The Government is aiming to get this Bill approved by the Parliament this year.

Given a series of measures being undertaken in the higher education sector, we had the pleasure of interviewing Mr. R.P. Sisodia (IAS), Joint Secretary (Higher Education), Ministry of Human Resource Development (MHRD) to understand the Government's perspective and get a peek into reformatory measures being conceptualised. The newsletter also contains an article by Mr. P N Sudarshan – Senior Director, Financial Advisory Services at Deloitte India highlighting the reasons for increased interest of the private sector in this space.

We hope you would find this issue as useful as our first one. We would be pleased to receive your feedback and subscription requests on ineducation@deloitte.com.

Happy Reading!

Deloitte Education Sector Team

Face to Face

With an estimated 150 mn people in the age group of 18-23 years, India clearly has a favorable demographic structure, which can be converted into an advantage if the nation is able to produce educated and formally skilled people. There lies the importance of higher education which equips people with appropriate knowledge and skills required for sustained economic development of a nation. In order to understand Government's perspective and to get a peek into reformatory measures being undertaken, the Deloitte team had the pleasure of interviewing Mr. R.P. Sisodia (IAS), Joint Secretary - Higher Education, MHRD. Excerpts of the interview are given below:

Q1: The GER in higher education in India is much lower compared to the global average of 26%. The Government has set itself a target of achieving GER of 30% by 2020. We would like to understand that what steps are being taken to achieve this target and reap the benefits of demographic dividend?

Ans: The GER in higher education currently stands at 18.8% and the Government's target is to increase it to 30% by 2020. The Government is already sponsoring programs such as Scholarship Scheme and Interest Subvention Scheme, which have been successful in increasing the GER. For example, an estimated 1.2 million students have already been benefitted from the Interest Subvention Scheme of the Central Government. However, given the huge task ahead, there is a need to scale-up the capacity of HEIs in the country as well as to fill the gap in existing infrastructure. The aim is to ensure that there is optimum utilization of higher education infrastructure and that admission should not be denied to meritorious student due to non-availability of seats. In addition, presently a large percentage of student population pursue higher studies under ODL system which is generally not considered for calculating GER. There is a need to give a special focus to ODL system, for instance, the use of ICT in order to improve the overall quality.

In order to address the existing challenges and to have a focused approach on higher education, the Government is proposing to launch a scheme viz. RUSA¹. The RUSA lays down a totally different approach to higher education in India in view of complexity involved while ensuring the fundamental principles of access, equity and excellence. The scheme recognizes the importance of the state HEIs which cover 94% of the total GER in the higher education and the need to provide support to



Mr. R.P. Sisodia (IAS)
Joint Secretary - Higher Education

these institutions. RUSA, in nature, is a holistic scheme and would drastically transform the higher education landscape in the country.

Q2: The budgetary outlay for education in 12th Five Year Plan is set at ₹4,53,728 crores (\$ 82 bn), of which only ₹1,10,700 crores (\$ 20 bn) or 24% has been earmarked for the higher education sector. Do you think that given our target of achieving 30% GER in in the next seven years, the total outlay to higher education should have been higher?

Ans: Currently, we spend about 1% of our GDP on higher education and our plan is to raise it to 1.5% in the future. This is in addition to the state governments' allocation on higher education in their respective states. Further, the private sector is expected to have a major role in the form of PPP participation going forward. If we are able to implement all the measures conceptualized under RUSA and efficiently spend the amount allocated under the plan, I am confident that we will be able to meet our goals. The 13th five year plan beginning 2017 will also provide funds which would be utilized to achieve this objective.

Q3: As per some of the latest global ratings of HEIs, none of the Indian institutes feature amongst the global top 200. In this backdrop, what are your views on the quality of higher education in India and what steps are being taken to address this anomaly?

Ans: While Government is aware of the quality concern in HEIs, these rankings cannot be seen as a true reflection of the quality of education imparted in our country. It is important to study the parameters on

¹ The draft scheme may be accessed through this link (http://mhrd.gov.in/sites/upload_files/mhrd/files/rusa_0.pdf)

which such rankings are based. For instance, single discipline universities and universities dedicated to just postgraduate studies are not considered because of their narrow focus and areas of strength. India has many such world renowned institutions which have been left out of these rankings.

We do not figure in the top two hundred list of institutions. Still, it is a fact that students who fail to get admission in DU, IITs, JNU eventually get admission in MIT, Harvard, Wharton or Stanford. Also, one who gets a GMAT score of 700 thinks that ISB is a tough thing to crack, manages admission in a foreign institute/ university.

It may be noted that although excellence of higher education is essential, we should also understand that Government has an obligation of providing access and equity to a large section of the society as well.

Q4: UGC has recently made accreditation mandatory in higher education and there is also a Bill pending in the Parliament seeking to achieve a similar objective. Is it a step taken to ensure that quality and transparency is maintained in all higher educational institutions? Is the Government contemplating a similar move in technical institutions where the private sector institutions have achieved dominance in the recent past?

Ans: UGC regulations are applicable to non-technical institutions. AICTE has also approved regulations on similar lines, which will be issued very shortly. Both UGC and AICTE are issuing regulations for their respective domains. Today when an institution applies for permission, a team goes and inspects based on which the sanction is issued. Though the infrastructure is verified, the public is unaware. When they get accredited, the third party will evaluate against the parameters set by the regulations.

Regulator benchmarks the quality parameters and against those benchmarks, evaluation will be done by a third entity and because it does not have any vested interest in this regulation, it will take a neutral approach in validating the quality of an institution. This is to say that anyone can verify. That is how we are moving to a different set of approval process. It will make the entire process open and transparent. In this case, accountability and oversight is also of the

public at large. The regulators will base their decisions on the certification given by the agencies. The Bill was introduced for that purpose. The Bill is also going to create an authority to regulate the agencies but because we can't set up the authority, we made a beginning by making accreditation mandatory. Gradually, we are expanding our accreditation capacity.

In addition, we are also encouraging other regulators and state governments to create agencies because once you make it mandatory, you need more agencies, you can't carry on with just two agencies. So we are expanding these agencies by setting up their regional centres/ regional offices. We are also exploring the possibility of getting these agencies being created by public sector organizations.

Q5: Would agencies like CRISIL or ICRA, given their vast experience in this domain, be permitted to work with the government in accrediting HEIs ?

Ans: Well, we don't rule it out. Though in their present form it may not be possible for them but it may be possible if they can look at engaging through public sector entities. They may develop some sort of collaborative framework like a PPP model or a JV in which they can lend their expertise. In this case, we will be very happy to utilize their resources but accreditation in education is a very different and a specialized field. Also, clash of interest has to be really taken care of as it can backfire. But over a period of time, we can always put their expertise to use in one way or the other.

Q6: The Finance Minister in his recent budget speech spoke about the Nalanda University. Is it going to focus primarily on research or is it going to function like any other university?

Ans: No, it is not like any other university. It is an international university both in character and scope. There is going to be an increased focus towards our lost heritage. For instance, we lost a heritage when we lost Nalanda and Vikramshila. So the idea is to recreate the lost legacy. The research and innovation could be incidental but cannot drive the agenda of Nalanda University. The learning professed by Nalanda University attracted talent from across the world. Students used to come and stay there, scholars used to come and stay there... basically this is where the concept of resident scholars came into existence. The aim here is to regain the glory that we lost over centuries.

Q7: A lot of our foreign clients are interested in the Foreign Education Bill. They are willing to come to the country but seem to be a little wary of some of the conditions spelled in the draft bill such as a corpus of \$11 mn, "not for profit" character etc. Would there be any relaxation on these conditions on a case to case basis?

Ans: I can only say that the Bill is still in the Parliament and now based on the recommendations of the Standing Committee the structure of the corpus is being presently examined. The corpus is simply to safeguard the country and the students against any kind of defaults. The question is - what purpose will a foreign entity serve in India? One is quality gain, second is the access gain. But quality gain should not be at the expense of the system that we have set in place with aspects like being not-for-profit institution, fee regulation etc. Again it should not be simply an amalgamation of the entities that look at India as an investment opportunity. Pressure from private institutions does not drive our policies.

Our policy-making should be based on our own self-interest, which lies in quality gain and towards this end. AICTE and UGC have set-up regulations. With students spending up to \$ 7 billion every year for studying overseas, Indian market has a huge potential. And same amount of money may exist in the country if one was to establish a foreign institute in the country. You need to understand that we can't achieve the goal of access by simply permitting a foreign institute to come to the country. For instance, they would not like to set up a university in Jharkhand; they would obviously look at a city like Hyderabad. So there should not be over commercialization for private gain or expanding business abroad. Hence, while making a decision on a foreign institution's entry we have to be careful of all these aspects, and then only we should give the sanctions. That is why the Bill, that is why the safeguards and that is why there are the pre-requisites of quality check like 20 years of existence and accreditation etc.

Q8: You mentioned that the government is concentrating on ODL but this form of education has been specifically excluded from the purview of the Foreign Education Bill. Is there any specific reason for excluding it?

Ans: There are two reasons. In any case if it is complete online education then even now it is allowed. Here we are talking about commercial presence not cross-

border supply. Second in terms of regulations, we have created separate institutions. Today there are 14 Open Universities plus IGNOU is also providing distance education. Now, quality control is a bit difficult in case of distance education after entry. So it is better to exercise a bit of restraint at the entry level itself. ODL has a different meaning in our context. Eventually at the end of it, you give a degree, which should be an equivalent to any regular/conventional degree. This implies that the quality of degree given is same as that of the conventional degree. For this reason we do not permit even deemed universities to offer Distance Learning courses.

Q9: University of Innovation Bill is an extremely positive step. Is there any other forward-looking reform that the government is looking at in terms of higher education in the country?

Ans: We are promoting foreign collaborations. We welcome proposals whenever there are quality gains that accrue to Indian institutions. On a domestic front, I would request the corporates, who fall under the bracket of mandatory CSR to channelize their investment towards health and education initiatives. Also stiff norms must be applied while utilizing CSR, not in terms of tangible monetary gains but in terms of the gains to society and that should be the parameter to evaluate CSR investments. There are a whole lot of schemes that are being conceptualized to attract private sector investment.

Q10: There may be lot of questions from the private sector around channelizing investments under the mandatory CSR. Are you looking at setting up a Help Desk at MHRD?

Ans: We have already started channelizing the PSUs in terms of how to invest, where to invest and how to go about it. In about 6 months, we would introduce a special kind of vehicle that would ensure complete transparency in terms of professional management of the funds, so that end use is assured and completely verified. Legal identity would be a section 25 company; stakeholders would be public and private sector; we are still in the process of working out the modalities of this scheme.



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Private Investments in Education

The story so far: Investments in Education

Background

There has always been an element of emotion associated with Education, in India. In a society steeped in the “guru-shishya” tradition, the idea of treating this as a business and making profits out of it has traditionally been viewed with suspicion. As a result, investments in this space have been predominantly aimed at the niche segments rather than the mainstream segment. Perhaps the first investment to happen in this industry was in 2000 when Intel picked up a minority stake in Career Launcher, then a regional player coaching students for MBA entrance examinations. Subsequently, in the same year, Carlyle picked a stake in Educomp, aimed at giving the fledgling eLearning business sufficient funds to expand abroad.

Indian education owes its attractiveness as an investment option to the boom spawned by the information technology in the early nineties. As outsourcing became the buzzword and Indians began performing more and more of the tasks of the western world from a remote location, the opportunities in harnessing technology towards addressing education needs of the foreign markets started acquiring prominence. This led to a whole generation of technology-led education companies whose main business focused on providing eLearning and developing new education formats for consumption by the foreign markets. This twinning of technology and education has continued to this day with most of the organized investments happening in the technology-led domains. As India’s burgeoning infrastructure constraints shackle physical growth, the reliance on technology is expected to grow even further.

Since 2005, there have been close to 100 deals that have taken place in this sector with a value of over \$ 700 mn².

² Venture Intelligence

From a regulatory viewpoint, the investment climate for the sector was liberalized way back in 2000 when Press Note 2 (2000 series) allowed 100% FDI under the automatic route for education. Despite this, investment into the sector has not really taken off, commensurate with the potential of the demographic dividend the country has to offer. This is due to the prevailing regulatory environment in the sector that requires an entity involved in direct education, like a school or college, to be a not-for-profit organization. This would inevitably mean a trust or society, which is not allowed to attract FDI. There exists a provision in the company's law, under Section 25, for a company to be incorporated with a not-for-profit objective. However, such a company would not be permitted to distribute returns on its investments to investors but use them instead towards the promotion of its objects, which are to be of a social nature.

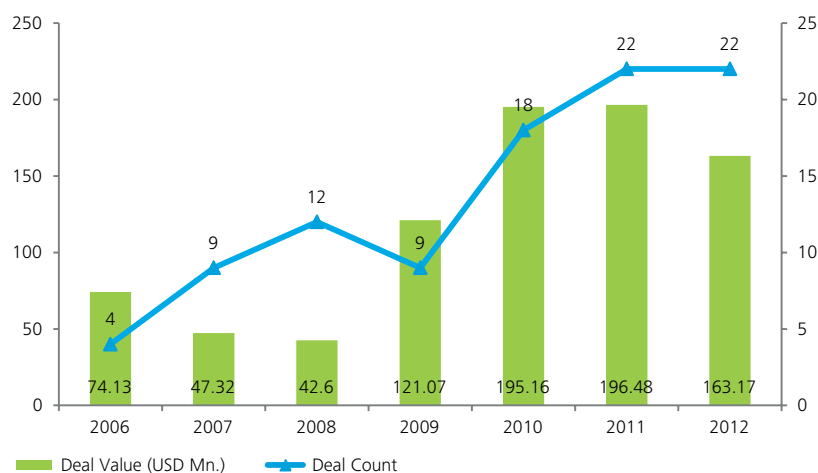
The bulk of investments in the sector have hence been in the indirect segments, like pre-schools, education ancillaries, technology-enabled education companies, etc.

Sector profiles

Pre-schools, Play schools and day care centers

The size of Pre-schooling in India is expected to be between \$ 500 mn to \$ 750 mn at present, according to various industry sources. While the industry is dominated by the unorganized market (neighbourhood schools, stand-alone crèches etc.), there are around 10–12 chains that constitute the organized segment and had received investments in the past. The sector is largely unregulated and has little entry barriers. Growing urbanization and attendant characteristics like nuclear family, working parents and the recently instituted practice of the child to undergo basic schooling before entering the conventional school system have largely been the drivers for growth for this segment.

Deals in education sector – Value and volume



Source: Venture Intelligence Data

Prominent Players and Investments

Company	Investor (s) – Former and current	Other Information/ Comments
Alpha Kids	Camlin Limited	
Amelio Child Care	Equity Management Associates	
Eurokids International	Educomp Solutions, Gaja Capital	Gaja Capital, as part of a financial consortium, recently acquired the 50% stake held by Educomp in the company
Kidzee Preschool	Essel Group	Backed by the Subash Chandra-owned Essel group
Tree House Education	Matrix Partners, Foundation Capital, Omdiyar Network	Recently acquired the pre-school division of MT Educare
Your Kids R Our Kids	Kaizen Private Equity, India Venture Partners	

Prominent Players and Investments		
Company	Investor (s) – Former and current	Other Information/ Comments
Educomp Solutions Limited	Carlyle Group, Gaja Capital, International Finance Corporation, Proparco, Mount Kellet Capital Management	
Everonn Education Limited	Vertex Venture Holdings	
Excelsoft Technologies	UTI Ventures, DE Shaw & co.	UTI Ventures' stake was sold to DE shaw
Iprof India Limited	Helion Venture Partners	
LearningMate Solutions	Educomp Solutions, Carlyle Group, Helix investments	Originally a part of Educomp, was subsequently hived off into a separate company with investments by Carlyle and later by Helix
Manipal Global Education Services (formerly Manipal Universal Learning)	IDFC PE, Capital International, Premjinvest, Catamaran Ventures	
Tutorvista	Sequoia Capital, Pearson Plc	Pearson has acquired a majority holding in the company and is now the parent

Online and technology-based learning

Riding on the information technology boom in the late nineties, a lot of technology-based education companies, predominantly targeted at the international market were set up. These companies offered online learning and facilitated creation of modern education content medium for students and teachers in countries like the US which were facing physical challenges for growth and were looking at alternate delivery mechanisms. Subsequently, these have expanded to offering distance learning and technology-based learning solutions for the domestic market as well.

Coaching centers

Among the more active segments in terms of investment activity, coaching centers and the test preparation space in India has always been seen as a proxy for investing into the K-12 and higher education sector in India. Given the huge competition among students at the senior school and higher education level, test preparation and coaching centers have emerged as an attractive option for parents to enroll their students and enable them to succeed at that level. The result has been a parallel education stream with fee that is as high as, if not higher than, that charged by the conventional schooling and college system.

Vocational and corporate training

“India graduates millions but too few are fit to hire”, reported a recent article in the Wall Street Journal, which succinctly captured the malaise affecting the higher education sector in the country. While the country’s engineering and management colleges churn out over 2 mn students annually, repeatedly industry body reports and think-tanks have stated that the vast majority are not readily employable. Additionally, in a country of 1.2 bn people, not everyone is able to access the mainstream HEIs. A significant portion of them join vocational institutes that are aimed at enhancing employability. The government has also recognized the importance of employment-oriented education and has recently formulated schemes like the NSDC aimed towards the same. Private investments in this segment have also boomed in recent years.

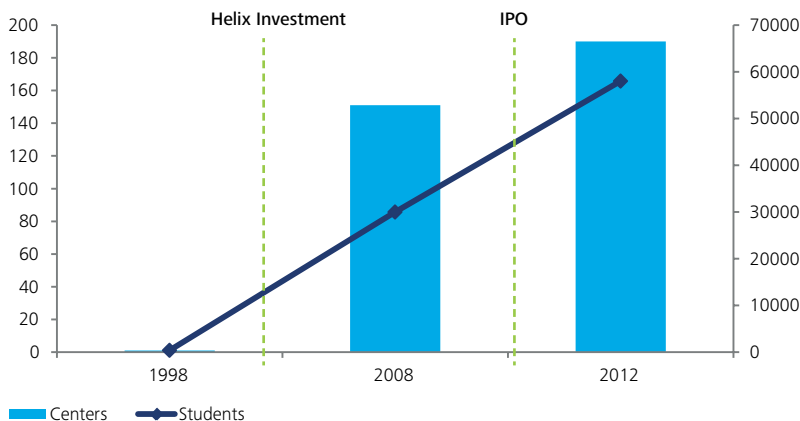
Prominent Players and Investments

Company	Investor (s) – Former and current	Other Information/ Comments
Ace Creative Learning	Accel Partners India, Catamaran Ventures, Kaizen Private Equity	
C.L Educate Limited (formerly Career Launcher)	Gaja Capital Partners, Granite Hill Capital Partners, International Finance Corporation	
Career Point Infosystems	Volrado Ventures, Franklin Templeton Private Equity	Is a listed company currently
FIITJEE	Matrix Partners, QInvest	
IMS Learning Resources	Milestone Religare	
MT Educare (formerly Mahesh Tutorials)	Helix Investments	Has gone public
Pristine Careers	Accel Partners	
Resonance Eduventures	Milestone Religare, CLSA Capital	
TIME	Tiger Global Management	
Vienova education	Helion Ventures, Bamboo finance	

Prominent Players and Investments

Company	Investor (s) – Former and current	Other Information/ Comments
Aspire Human Capital Management	Rare enterprises, Foundation Capital	
Global Talent Track	Intel Capital, Helion Ventures, Cisco Systems	
Indian Institute of Job Training	Tiger Global Management	Company has been acquired by Team Lease services
Teamlease services	Gaja Capital	
Veta	SAIF Partners, TIME	TIME has acquired majority ownership in the company

MT Educare – Growth in Centers and Students



Source: MT Educare DRHP, Deloitte research

The Success stories

Mahesh tutorials/MT Educare

Having commenced operations as a one-man tuition center, Mahesh Tutorials is today known as MT Educare, an education conglomerate with interests in classroom tutorials, CA coaching, coaching for common entrances tests in Maharashtra, Gujarat, Karnataka and entrance examinations for management education and studies abroad. The company received equity funding from Helix Investments in 2007 at a reported valuation of \$ 40 mn and went on to an IPO at a valuation of \$ 70 mn in 2012.

The company has continued to grow with its market cap reaching a high of \$ 100 mn in the early part of this year. It has also expanded its offerings and recently acquired the Delhi-based IIT-coaching company Lakshya Education.

Excelsoft

Founded in 2000 by a team of technocrats, this Mysore-based company provides products and services in the e-Learning space and has strong platform-based revenues from own IP and services around its proprietary learning platform. The company provides implementation, customization, consulting, content development/digitization, course design and instructional design among its client base of publishers, universities, corporate and government agencies. In 2002, UTI Ventures acquired a 35.5% stake in the company which was then in its infancy providing e-learning services for educational stakeholders in the US. Over a span of 6 years, the company grew to be an exceedingly nimble and profitable corporation with clients across schools, universities and the corporate

sector. In among the biggest exits ever for a VC investor, UTI ventures reportedly made a 50x return on its investment when it sold its stake to DE Shaw in 2008. The company has subsequently continued to grow its business and has expanded its service offerings.

Tutorvista

Tutorvista was among the pioneers in the online tutoring segment, founded in 2005 with about 2000 tutors across India teaching students in the US through the online platform. Leveraging the technology platform, the company grew from strength to strength and attracted investments from Sequoia capital, Lightspeed and Manipal learning. In late 2010, Pearson acquired a 17% stake in the company and subsequently went on to assume the majority control with a 76% stake in 2011. The investment paved the way for the exit of financial investors with an average return of 3.3x.

The bridesmaids

Pre-schools

Even though the business case for a pre-school is very strong (large population, nuclear family, working parents, competitive pressures for school admissions), the sector has, in recent years, seen a cooling-off of investor sentiment. Blame it on low entry barriers, infrastructure constraints for growth or the continued dominance of the large unorganized sector, what was once seen as among the most "investment-conducive" segment in the education sector has been facing challenges in getting fresh funding in recent years.

Corporate Training

Despite having attracted the most number of investments, the corporate training segment hasn't seen serious traction in exits and investment returns for investors. While investors continue to remain sanguine about the growth prospects of this sector, there hasn't been much movement towards consolidation.

Themes for the future

It is quite difficult to predict an investment theme for the future. As our examples of success stories show, there is no single sector that can promise high returns. Likewise, while we have identified sectors where the investment story is yet to play out, these are still viable sectors with strong growth potential. Ultimately, any company that is led by a strong management with a continued focus on its core business will continue to grow.

However, it would be pertinent to identify the key challenges currently facing this sector and perhaps question some of the assumptions that had been made about 5-6 years back. Among the biggest constraints for growth is the physical infrastructure mainly real estate. One key assumption that is now being challenged is the infinite nature of purchasing power in this sector. While pricing can be relatively inelastic compared to other industries, these would continue to be driven by results. A parent would want to see tangible benefits of a new learning environment before paying additional fees. Similarly, while skill enhancement and certifications are helpful in a challenging job market, these would still need to be backed by strong evidence of greater employment opportunities.

Against this backdrop, we have identified two major themes for the future.

360-degree content creation and deployment

With evolving methods in imparting content and innovations in pedagogy, educators in India and abroad are looking at new means of developing content. The industry is moving out of the conventional textbook medium and even CD-ROMs and floppies towards an integrated learning environment spanning multiple domains like games, multimedia aids, online sources etc. The concept of virtual integrated learning is also an emerging area where students around the world access teaching resources and material from any part of the world. Additionally, it addresses the physical constraints posed by infrastructure and provides a readily scalable model.

Consolidation in the coaching center space

The coaching sector market has been dominated by regional players who are strong in the respective state syllabus and coaching students for success in the same. This is expected to change as a result of recent reforms introduced in the sector giving more weightage to the school examinations and the central government pushing towards a common entrance examination for each stream. With a lot of these coaching institutes being funded by investors who would be looking at returns soon, the space is poised for a consolidation. For example, MT Educare recently acquired Lakshya education, a competitor with strength in the IIT-entrance coaching space and a large presence in the north.

Easing of Regulations- potential for incremental growth

K-12 and Higher Education – Need for private investments

Globally, India has the 3rd largest education system with a network of more than 1.3 mn schools and 30,000 HEIs. Aided by government initiatives like Right to Education and reservation of seats in private schools for economically weaker students, the higher education segment in India is expected to witness strong growth. The number of students enrolling into higher education is expected to treble from 14 mn currently to over 45 mn by 2020.

In order to help meet the government's objective of increasing the gross enrolment ratio from the present 15% to 30% by 2020 there is unanimity that the private sector needs to be involved to complement and supplement the efforts of the government. However, the sector is governed by multiple regulators as education is on the concurrent list and is hence under the purview of both state and central governments. Lack of communication and co-ordination between the two has resulted in a complex array of regulations governing investments in this sector. Entities involved in K-12 and higher education are required to be registered as a not-for-profit society or trust. As a result, investments have been routed through management companies that perform various services for the educational institutions in return for a fee. While this has been beneficial to an extent in the K-12 space, it is still restricted in the higher education segment as there are caps on the fees that can be collected by such institutions (and hence disbursed to management companies).

Thankfully, the government has been proactive in introducing reforms addressing these challenges and has proposed the setting up on an overarching regulatory authority to streamline the regulations governing the sector. Various bills are on the anvil that propose to provide a more conducive investment environment to address the growth needs of this sector.

Foreign Universities entry

While allowing private investments would enable the development of more universities and colleges, in a globalized environment, it is important to address the quality issues plaguing the sector as well. There are various dimensions of quality in education, including content, mode of delivery, infrastructure and facilities,

employability etc. Ensuring quality in higher education is amongst the foremost challenges being faced in India today, with few institutes having achieved global recognition for excellence. In a bid to address this, the government has been proposing the introduction of a Foreign Education Bill which seeks to regulate the entry and operation of foreign universities in India. This Bill has been pending in parliament since 2010 and even in its current form, does not address key issues like nature of entity permitted, “not-for-profit” character etc. The proposed regulations like minimum track record, minimum corpus and restrictions on utilization of surplus may dissuade many potential foreign universities from seriously pursuing an India strategy.



Industry Updates

Recent tax updates

Param Hans Swami Uma Bharti Mission v. ACIT (2013) 140 ITD 429 (Delhi)(Trib.)

The assessee, a society which was running a school, filed its return claiming whole of the income over the expenditure as exempt under section 10(23C)(iiiad). The Assessing Officer held that the annual receipts of the assessee including interest exceeded ₹10 mn and that the assessee had not obtained prior approval of Chief Commissioner under section 10(23C)(vi). Hence, the income was held not to be exempted. On appeal, the Tribunal noted that from the plain reading of section 10(23C)(iiiad), it emerges that legislature had in its mind annual receipts of school or university, as the case may be, for consideration of exemption limit and not that of total income of society running that school or university. The present case is of a society running a school. The society besides having income from running of a school has other sources of income as well. In the present case, the income from interest on FDRs is an additional income of society and it cannot be considered to be part of annual receipts of the school. Hence, it was entitled to the exemption.

Tolani Education Society

[2013] 30 taxmann.com 165 (Bom) (HC)

The assessee was registered as a public trust under the Bombay Public Trusts Act, 1950. It was running a college affiliated to the University of Mumbai and was receiving aid from the State Government. It made an application for exemption under section 10(23C)(vi). The Commissioner informed the assessee that the cases which are wholly or substantially financed by the Government were covered by the provisions of section 10(23C)(iiiab), which was subsequently rejected on the ground that the assessee did not exist solely for educational purposes. On appeal, the High Court observed that the sole and dominant nature of the activity was education and the assessee existed solely for the purposes of imparting education. An incidental surplus which it generated was utilized towards upgrading the facilities of the college including the purchase of library books and the improvement of infrastructure. Further, even in case where the assessee is held not to be entitled to the benefit of an exemption under section 10(23C)(iiiab), it would have been entitled to the benefit of an exemption under clause (vi) of section 10(23C).

Tax amendments under Budget 2013

Direct Tax

Key Proposals	Impact Assessment
<ul style="list-style-type: none">• Increase in surcharge on domestic companies from 5% to 10% and from 2% to 5% in the case of foreign companies	<ul style="list-style-type: none">• Education service companies, domestic and foreign owned, to bear the additional tax burden on account of increase in surcharge<ul style="list-style-type: none">– Reduction in total distributable profits to shareholders– Likely to be applicable for just one year as per Finance Minister's assurance
<ul style="list-style-type: none">• Additional tax of 20% on distributed income in the course of buyback of shares by unlisted companies, payable by such company• Consideration for transfer of any immovable property of ₹50 lakhs and above attracts withholding tax @ 1%• Rate of withholding on royalty and fees for technical services payable to a non-resident increased from 10% to 25% (treaty benefit available)	<ul style="list-style-type: none">• Attempt to restrict alternative route of tax free repatriation of profits through buy-back• Increase in rate of withholding tax on royalty/FTS likely to hit on payments made to non-treaty countries



Indirect Tax

Key Proposals

- Service tax will not be applicable to vocational courses offered by ITIs/ITCs affiliated to the State Council of Vocational Training
- Courses run by an institute affiliated to the NSDC will be subject to service tax
- Service tax exemption withdrawn on renting of immovable property and auxiliary education services provided by educational institution

Impact Assessment

- Reduction in service tax burden on students in ITIs/ITCs, who mostly belong to weaker sections of the society, is a welcome move. It may lead to increase in student enrolment
 - However, the move to impose service tax on institutes affiliated to NSDC is most likely to have an absolutely opposite impact
 - Renting of immovable property by an educational institution to a third party, not related to the education sector, will now be subject to service tax
 - Similarly, auxiliary education services such as transportation, training programs (over and above the normal education) etc. provided by educational institutions directly to students/ staff for a consideration will now be subject to service tax
 - However, in case such services are procured from a third party vendor by an educational institution providing exempted services then service tax will not be applicable
-



Regulatory updates

Key policy initiative under Budget 2013

Key Proposals	Impact Assessment
<ul style="list-style-type: none">• Total budgetary allocation for education increased by 17% to ₹65,867 crores (\$ 12 bn):<ul style="list-style-type: none">– SSA : ₹27,258 crores (US \$ 5 bn)– RMSA : ₹3,983 crores (\$ 724 mn), an increase of 25.6%– Allocation of ₹5,284 crores (\$ 960 mn) to various Ministries for providing scholarship to students of unprivileged class– Allocation of ₹4,727 crores (\$ 860 mn) for medical education, training and research• Scheme to provide monetary incentive of ₹10,000 to every student passing a skill based training course:<ul style="list-style-type: none">– NSDC to develop the curriculum of the training course– Allocation for the scheme is ₹1,000 crores (\$ 180 mn)	<ul style="list-style-type: none">• Renewed impetus to flagship schemes of the Government facing severe implementation challenges<ul style="list-style-type: none">– Likely to address issues of quality, access and inclusion in primary education– Due recognition to the importance of secondary education in overall development of an individual by substantially increasing allocation to RMSA– Likelihood of addressing relatively lower GER in secondary education due to dropouts– Focus on medical education and research in which the country is lagging behind its peers• Effort to motivate the youth to attain formal skill training through monetary incentives:<ul style="list-style-type: none">– Noble step but efficient implementation a key to achieving success– Challenge of creating decent jobs for trained youth has not been addressed in the budget

Other regulatory updates

UGC notifies (Mandatory Assessment and Accreditation of Higher Educational Institutions), Regulations, 2012

- The UGC has recently come out with the Regulations requiring all Central/State Universities and colleges other than technical institutions to obtain mandatory accreditation.
- Under the Regulations, the HEIs (other than technical institutes) shall be mandatorily required to get accredited by the accreditation agency after passing out two batches or 6 years of existence, whichever is earlier, within a period of 6 months.
- The accreditation to be valid for 5 years and required to be applied for reaccreditation before 6 months of expiry of 5 years.
- Failure to comply with the above provisions to attract penal provisions including removal of impugned institute from the list of HEIs by UGC and declaring the institute as ineligible for any future assistance by UGC.

MHRD proposing a scheme dedicated to higher education

The Government is proposing to launch a scheme called RUSA, which will focus exclusively on higher education in India. RUSA is expected to transform the higher education in the country by laying down a totally different approach while ensuring the fundamental principles of access, equity and excellence. It would be unique in its approach as it would allow performance-based funding to HEIs and disincentive non-performing institutes. The scheme would operate on the premise that state would have to make a prescribed contribution to match the funding from Central Government. The Scheme would emphasis on the role of private sector in transforming higher education. Under the scheme, it will be possible for the state to mobilize 50% of the state contribution through private participation or contributions/ donations etc. It would be spread over two 5 year plans (12th and 13th five year plan) to achieve its objective.

National mission on teachers to be launched soon

IANS, Feb 7, 2013

The Human Resource Development Minister, Mr. M.M. Pallam Raju, while stressing on the quality of education in the nation's schools and colleges rested on sound teaching, said the government would soon launch a national teacher's mission.

"In view of the tremendous need for good teachers, we will undertake a national teacher's mission to address all issues related to teachers in a holistic manner, at all levels," the minister said.

Ministry officials explained that the mission would look at teacher education in a holistic manner and in a single continuum, covering school to university. It would suggest ways to strengthen institutional mechanisms at all levels, so that there are vertical and lateral linkages that could serve the community of teachers.

Impact Assessment: The shortage of faculty and their inadequate qualifications constitutes a major challenge of the Indian education sector. This initiative is in conformity with Government's objective of improving quality of education delivery which is an overarching objective of the 12th five year plan.

UGC expert panel to revisit regulations for private varsities

The Hindu, Mar 25, 2013

With the mushrooming of private universities in the country, the UGC has constituted an expert committee to revisit the clauses in the UGC (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003.

Contesting the criticism against private varsities that no regulations have been laid down for their establishment, the UGC Chairman, Mr. Ved Prakash said, "We are not for controlling, we are for facilitating. The regulations should be only to ensure quality."

Speaking about a time-frame that had been introduced for the inspection of private universities, Mr. Prakash said: "A system has been established where universities' information is furnished on their and the UGC's websites within 10 days. Stakeholders are given 30 days to file objections while the information is on the website. An expert group inspects the university within 90 days of this, after which the report is submitted to the varsities, which in turn will give their observations within 10 days before a report is finally placed before the commission."

Impact Assessment: With the recent debate on the quality of HEIs, especially in the private sector, this move signifies the Government intent to set things right. UGC has recently made accreditation mandatory for universities and colleges which will further ensure transparency.

Frustrated when education bills sidelined - Shashi Tharoor

IANS, March 25, 2013

The minister of State for Human Resource Development, Mr. Shashi Tharoor has been quoted as saying "it is frustrating when crucial bills that shape the country's education policy are not taken up in Parliament". He further said that "the education sector is getting affected, but the delay in legislative process and non-functioning of parliament are a major concern".

According to a senior ministry official, more than 20 education bills are pending for approval, of which only 4 were listed for consideration and passing for the budget session, while three bills were listed for introduction. Significantly, some major education bills, including one on establishing foreign universities, have not been listed for the present session: The Foreign Educational Institutions (Regulation of Entry and Operations) Bill is meant to regulate the entry and operation of foreign educational institutions in the country.

Impact Assessment: It is almost three years since the Foreign Education Bill was first introduced in the Parliament but has not been approved due to various reasons. The Bill having recently approved by the Parliamentary Standing Committee could have seen the light of the day. Other important Bills set to transform the regulatory landscape are also on the anvil.

Fireworks at GoM, ministers oppose skills upgrade body

The Indian Express, Mar 29, 2013

A meeting of the GoM which last week cleared the setting up of a National Skill Development Authority (NSDA), saw seven out of 11 participants express reservations against the new body, and a spat between Rural Development Minister Jairam Ramesh and Commerce Minister Anand Sharma.

The idea of an NSDA was mooted by Prime Minister Manmohan Singh in his Independence Day speech in 2012. He had said it was necessary to implement skill development programmes throughout the country in a coordinated manner.

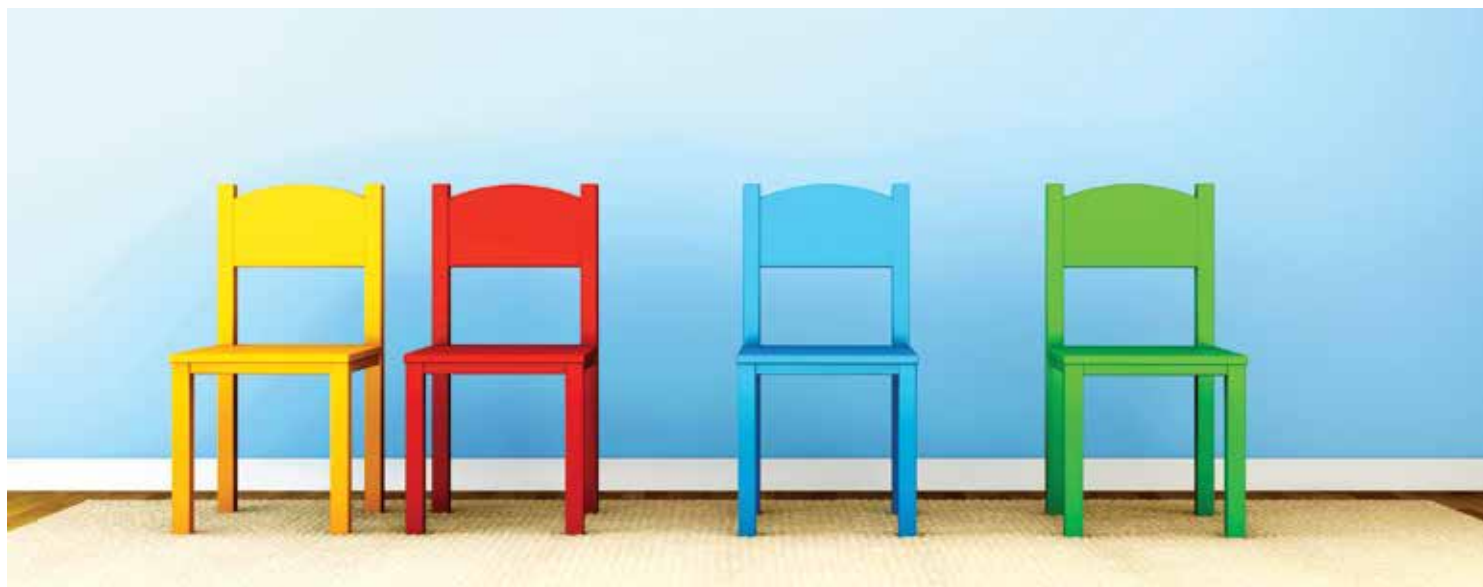
The GoM recommended the setting up of a cabinet committee on skill development headed by the Prime Minister to look into inter-ministerial disputes, but a decision on the jurisdictional location of the NSDA — whether it should be under the cabinet secretariat or the Planning Commission — was put off until the next meeting on April 4.

At the GoM meeting last Friday, a majority of members expressed fear that the authority would transgress into the ministerial domains.

The NSDA is to be headed by a chairman of the rank of a cabinet minister, and would have a director general at the level of additional secretary. Disputes between ministries on jurisdiction would be taken to the proposed cabinet committee on skill development under the PM.

Impact Assessment: There are a number of bodies promoting skill development initiatives across the country such as PM's National Council on Skill Development, NSDC etc. In order to ensure the efforts are made in a cohesive manner the PM had mooted the idea of NSDA. We believe that such a body will certainly benefit in terms of efficient planning and implementation of skill development initiatives across the country.

Sectorial Nuggets



Skilling and after

The Financial Express, Mar 29, 2013

The article highlights the importance of skill development initiatives in view of burgeoning youth population of the country. It further states that the Government's efforts of incentivising training is commendable however efforts need to be made to generate matching formal employment opportunities "In the recent budget, the Government has made an effort to connect with millions of students and youth by terming education as a "high priority" area. Further, creation of opportunities for acquiring education and skills was also stated as an overarching objective. While, such efforts deserve appreciation, the government forgot to address a key issue – generating employment for 50 mn people which it hopes to train in the 12th Plan." – the article says.

The article adds that as per a recent publication of DGET, the total employment opportunities generated in 2010 across government and private sector for non-graduates was a meagre 180,000.

Link to the article: <http://epaper.financialexpress.com/c/926560>

This article is authored by K R Sekar and Rohin Kapoor (Deloitte Experts)

Karnataka to get 106 more model schools

The Indian Express, Mar 27, 2013

Karnataka is all set to get 106 new model schools (Adarsha Vidyalayas) through PPP as the MHRD has identified as many non-backward education blocks for establishing these schools. The schools, with Classes VI to XII, will be affiliated to the CBSE with English as the medium of instruction.

The state already has one model school each in 74 educationally backward blocks. This forms part of the MHRD's plan to set up 2,500 model schools across the country in a phased manner in three years. The selected private entities will develop, design, build and operate these schools for which the government will contribute in the form of recurring cost on per capita basis for the students sponsored. According to the ministry's plan, 140 students in each class, totalling 980, in every school will be sponsored by the government.

US varsity to join hands with Maharashtra University of Health Sciences

Times of India, Mar 25, 2013

Maharashtra University of Health Sciences (MUHS) in collaboration with the University of Michigan has introduced a new competency-based curriculum for the teachers of medical science under the Obama-Singh 21st Century Knowledge Initiative. Prime Minister

Manmohan Singh and the US President Barack Obama had announced the knowledge initiative in 2009 to enhance India-US partnership in the field of education. The new curriculum is expected to make medical education self-sufficient and complete

An agreement has been made MUHS and Michigan as per the initiative by the president of America Barack Obama and the prime minister of India, Manmohan Singh for aiding education. As part of this, a workshop was organised at the MUHS campus on Competency-based Curriculum for Health Professionals Education in India.

India needs to redefine education strategy: President Pranab Mukherjee

The Times of India, Mar 19, 2013

Speaking at the 90th Convocation of Delhi University, the President of India, Mr. Pranab Mukherjee stated that the time has come to redefine the way education is imparted in India as it is simply unacceptable that no Indian university finds a place amongst top global institutions. According to an international ranking of universities, he said, no Indian varsity finds a place amongst the global top 200. He also stressed on the need for enhancing enrolments and improvising modules that can enable better learning and bringing higher education closer to remote corners of the country to remove imbalances.

He further said that we must develop our universities into global leaders, and for that, the best practices in other countries should be carefully studied and adopted with necessary changes to suit our conditions.

CBSE school principals asked to undergo leadership training

PTI, Mar 25, 2013

The CBSE has asked principals of over 13,500 schools in the country, which follow CBSE curriculum, to train in developing effective leadership and school management qualities.

In one of the biggest initiatives taken by the CBSE, the principals, vice-principals, head masters and head mistresses will compulsorily spend at least 7 days a year to learn a range of skills and undergo behavioral training.

According to a CBSE official spokesperson, in keeping with the changing times, we believe school principals too need to expand their leadership capability to manage the entire education process.

Manipal Group launches branded youth hostel chain "Yoho"

The Economic Times, Mar 19, 2013

In a first of its kind venture, Manipal Education and Medical Group is launching a chain of branded youth hostels that will offer premium student living facilities on campuses in India and abroad through a new independent brand, Yoho.

The Group will invest over ₹1,000 crores (\$180 mn) in the new venture to build about 20,000 rooms in the first three years. It is a low-cost hotel with 90% occupancy," said Ranjan Pai, the managing director and chief executive officer of Manipal Education and Medical Group. "Globally student-living is seen as a non-core activity within universities; this creates an opportunity for a venture like Yoho," he said.

Group company, Manipal Integrated Services, which raised a first round of private equity funding of ₹100 crores (\$ 18 mn), will drive the Yoho brand, with the first hostels due to open in July. By the year end, the company plans to set up about 5,000 rooms on campuses in Jaipur, Bangalore and Manipal. The Yoho rooms will offer amenities such as Internet, restaurants, televisions, air conditioning, housekeeping and waste management that will distinguish it from regular college hostels.

Private accreditation body for varsities set up

TNN, Mar 30, 2013

As the National Accreditation Regulatory Authority Bill for higher education remains to be passed by Parliament, the country's first private accreditation body has come into existence.

Registered as a non-profit council, the Indian Centre for Assessment and Accreditation (ICAA), with Manipal University head T V Mohandas Pai as chairman and former University Grants Commission (UGC) chairman Arun Nigavekar as chief advisor, aims at monitoring and assessing universities on a set of criteria that would keep in mind the domestic realities and international expectations. The universities would be ranked based on access, equity and quality.

There are two government accreditation agencies in the country - the National Assessment and Accreditation Council and the National Board of Accreditation. As per S P Thyagarajan, former vice-chancellor of the University of Madras, in 19 years these agencies have accredited only 28% of universities and 14% of colleges. He further added that with grading of colleges gaining recognition, it's time we had a private body that will ensure transparency while assessing universities and colleges.



Glossary

AICTE	All India Council of Technical Education
CBSE	Central Board of Secondary Education
CII	Confederation of Indian Industry
DGET	Directorate General of Employment & Training
DTTIPL	Deloitte Touche Tohmatsu India Private Limited
DU	Delhi University
FDRs	Fixed Deposit Receipts
FDI	Foreign Direct Investment
FTS	Fee for Technical Services
GDP	Gross Domestic Product
GER	Gross Enrolment Ratio
GoM	Group of Ministers
HEIs	Higher Education Institutes
ICT	Information and Communication Technology
IGNOU	Indira Gandhi National Global University
IIT	Indian Institute of Technology
IPO	Initial Public Offer
ITC	Industrial Training Centres
ITI	Industrial Training Institutes
ISB	Indian School of Business
JNU	Jawaharlal Nehru University
MHRD	Ministry of Human Resource Development
NSDC	National Skills Development Corporation
ODL	Open and Distance Learning
PPP	Public Private Partnership
RMSA	Rashtriya Madhyamik Shiksha Abhiyan
RUSA	Rashtriya Ucchatar Shiksha Abhiyan
SSA	Sarva Shiksha Abhiyan
UGC	University Grants Commission
US	United States of America

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Thought Leadership reports released in last quarter

1. Urgent Needs of NGOs in the Education Sector, February 2013
(<http://www.deloitte.com/assets/Dcom-India/Local%20Assets/Documents/Thoughtware/NGO's%20in%20the%20Education%20sector.pdf>)

Deloitte India in association with the Confederation of Indian Industry (CII) and GiveIndia recently released this investigative survey report highlighting the role of social non-profit organizations in the field of elementary education. The report was released by Dr. Shashi Tharoor, Minister of State for Human Resource Development at an event held in New Delhi.

2. Perspectives on Skill Development in Maharashtra : Matching aspirations to opportunities, March 2013
(http://www.deloitte.com/assets/Dcom-India/Local%20Assets/Documents/Thoughtware/SkillCon_India_2013.pdf)

Deloitte India was the Knowledge Associate for SkillCon India 2013 held in Pune last month. A report authored by the firm was released during the event attended by senior dignitaries from Government, academia and industry. The report aims to place the current skill development system in Maharashtra in the overall development and economic context of the state. It also outlines the key strategic options that can be considered to bolster the state's response towards creating a skill development system that is responsive both to the aspirations of the youth and needs of industry.



From left: Vijay Thadani, Chairman CII School Education Committee ; Dr. Shashi Tharoor, Minister of State for Human Resource Development ; Ajay S. Shriram, Vice President, CII ; Supriya Banerji, Deputy Director General CII ; K.R.Sekar, Leader, National Education Practice, Deloitte India ; Malini Sreebhashyam, Deloitte Consulting releasing the report



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Partnering for Success			
Entry Phase	Implementation Phase	Management Phase	Post Entry
<ul style="list-style-type: none"> • Location Strategy • Market Assessment • Financial / Project Feasibility • Business Model • Partner Selection <ul style="list-style-type: none"> – Financial – Technical • Public Private Partnership • Transaction Support • Fund Raising • Valuation / Due Diligence • Tax efficient and regulatory compliant structuring • Choosing optimal entity for Indian operations 	<ul style="list-style-type: none"> • Review of collaboration agreements from a tax and regulatory perspective • Registration of entities • Obtaining clarification on regulations from respective regulators • Assistance in obtaining tax and regulatory registrations/ approvals • Marketing and Positioning Strategy 	<ul style="list-style-type: none"> • Corporate Governance • Human Capital Advisory • Systems and Processes • Monitoring and Evaluation • Tax & Regulatory compliance 	<ul style="list-style-type: none"> • Tax and Regulatory Services • Financial Reporting • Diversification / Growth Strategy • Technology Services <ul style="list-style-type: none"> – Data security, mining and MIS – Content management and archiving system • ERP services

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