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**JET AIRWAYS**

# A flight plan gone wrong

Jet, which billed itself as India's oldest private airline and dominated Indian skies for two decades, turned out to be a disastrous, hollow organisation, taking things day-by-day on dwindling resources and frantically looking for an investor who would pump in money. There is much in the national narrative about getting Jet flying again. The dismaying truth is that this is simply not possible

**JUST LAST YEAR**, Jet Airways celebrated its 25th anniversary. It pulled out all the stops in the celebration, heralding the milestone with a swish commemorative logo, and revelled in the fulsome praise lavished on it from all quarters. Notable among all the compliments it basked in — besides the praise for its fleet, crew and service quality — was the hardiness with which it had survived, for decades, a variety of external body blows. Steep hikes in aviation fuel prices, global currency fluctuations, industry challenges and fierce competition, both global and domestic — it had survived all these. Naresh Goyal took a long, deep bow.

It certainly seemed obvious that Jet Airways, like other airlines, had made the most of the vaunted Indian aviation boom. An April 2018 report shows that the sector experienced 42 months of double-digit revenue per kilometre (RPK) growth and the load factor on all airlines were in the 90 per cent range. All the parameters showed a robust and growing aviation environment. All other Indian airlines also reflected growth and income consonant with these numbers. All this came swiftly crashing to the ground in the beginning of 2019, with a growing degree of aircraft grounded due to non-payment of lease rentals, and then, the death knell: "Suspension of operations", which is virtually a terminal

closure. The airline that billed itself as India's oldest private airline, and had dominated the Indian skies for two decades, turned out to be a disastrous, hollow organisation, taking things day by day on rapidly dwindling resources and frantically looking for an investor who would pump in money. Total closure was imminent and more than 22,000 Jet employees found their paychecks had vanished. Scores of people employed by the many support services met with the same fate. Lessors pulled back their aircraft, leaving Jet Airways with a sad fleet of one Boeing 737 and five ATRs in the end. Rival airlines are now quickly picking up the experienced Jet pilots and engineers, and the peerless cabin crew that were the pride of the airline, reportedly at much lower salaries.

The flood of financial irregularities coming to light was particularly shocking: Jet Airways was in debt in excess of Rs 8,500 crore to Indian banks, the largest exposure was of the State Bank of India. The other Indian banks include the Punjab National Bank, Yes Bank, IDBI, Canara Bank, ICICI Bank, Indian Overseas Bank and Syndicate Bank. Who had approved these loans down the years? Why had more and more good money been thrown after the bad debt for years? Had any promoter guarantees been taken? Why hadn't forensic financial audits been conducted? If it was conducted, what are the findings? What actions had been taken by the banks after raids by the Income Tax department on Jet offices last year, which had apparently discovered gross financial management? Above all, what was the full extent of the loss? What about the airline's statutory dues like provident fund, ESIC, TDS, service tax, GST, etc? What does Jet owe to the Airports Authority of India, Indian Oil and other fuel companies, which are also government bodies?

This is not just a chilling replay of the Kingfisher Airlines debacle, because it is much larger in magnitude. Vijay Mallya had fled to London and was ensconced in some kind of financial immunity, though, here in India, Mallya's houses, cars, and assets were

confiscated. But what was being done to stem this horror haemorrhage of public money and is any attempt being made to stop Goyal from leaving India? Was there any plan to liquidate his array of assets? Did anyone realise that Goyal and the Jet Airways debacle was much larger than Vijay Mallya and Kingfisher Airlines?

Even more chilling in this case was, once again, the fact that the largest component of the financial exposure was to government-owned banks and organisations. Obviously, this was a massive mismanagement of money, not possible without the aid of individuals who had misused their power. Banks, for all purposes, must now supply explanations for a slew of inexplicable decisions made over the years. Crores were disbursed to the airline, but against what collateral? Then there is the bizarre SBI defiance in not declaring the airline an NPA, and insisting it is not an NPA as late as March 25. If Jet is wound up, will the banks really recover any money?

There is so much pontification about selling the airline. But what is left for a buyer? An airline's main assets are its aircraft, flying rights, slots, parking rights and its personnel. Parking rights and slots in Mumbai and Delhi, and in cities abroad are priceless assets. These have now been taken up by Indigo, SpiceJet, Vistara, GoAir and Air Asia in India, and they are not fools to give them up easily.

I may claim a rather unique perspective to an understanding of the Jet Airways situation. I started Damania Airways in 1993, the same year Jet Airways began. But when I saw the writing on the aviation wall a little over two years later, I made an extremely painful decision: I handed the airline, intact, to new investors. At that point, the complications in Indian aviation were so suffocating because of government regulations, no airline could survive without contorting itself into untenable positions.

Many trusted Jet Airways to practice and maintain superior management so that their personal lives are not affected. The agonising plight of Jet Airways staff now could have been avoided. In fact, just recently a finance company froze the savings of Jet staff from their forex debit cards to recover the airline's outstanding. This scramble to recover monies at the expense of innocents is taking things to a new depth of cruelty.

There is much in the national narrative about getting the airline flying again. The dismaying truth is that this is simply not possible. The airline has been abandoned into the hands of people who just want their money back — banks and lenders.

Jet Airways unfortunately is not coming back. It simply cannot. What is worse, Mallya and Goyal have brought global shame to the Indian aviation industry by making Kingfisher and Jet Airways the laughing stock of the international aviation sector. The damage done will now take years to undo.

Indeed the circus surrounding the deceased airline is now resembling the bizarre sight of a phalanx of medical personnel pretending to resuscitate a deceased patient at the graveyard. All the key management of the airline has resigned. The fleet has gone. The slots and parking bays have been handed over to competitors. The employees have been abandoned. And, the powers that be, including the SBI, are still brazenly prattling on about finding a buyer. The latest supposedly interested party operates out of an industrial gala in Chakala, Andheri, called East Darwin Platform holdings. There is another, a former air passenger service agent, and some other small bidders. These are the kind of unsolicited bidders the banks are reaching out to now.

Jet Airways has, very unfortunately, crashed, Ladies and Gentlemen.

The circus surrounding the deceased airline resembles the bizarre sight of a phalanx of medical personnel pretending to resuscitate a deceased patient ... at the graveyard

NBFCs have been plagued with liquidity, maturity problems, but they have reportedly a high capital adequacy ratio

## Is the NBFC crisis imminent?

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Should commercial banks take over ailing but systemically important NBFCs?

**RBI AND SEBI HAVE** to tighten regulatory supervision as NBFCs are going to face an impending crisis. That is attributed to liquidity crunch in the NBFC sector and can potentially retard the pace of financial intermediation and induce systematic risk in the financial system. MCA states that overleveraging, squeezed credit flow, asset-liability mismatch and misadventures by a few large entities are some causes serving a recipe for this disaster. Can we make a systematic attempt to understand the crisis?

RBI's FSR (June 2018) mentions that NBFC sector aggregate balance sheet size stood at ₹22.1 trillion. But there is a stark decline in share capital growth of NBFCs in 2017-18—a negative growth rate of 58% between 2017-18 and 2016-17, while borrowings grew at 19.1%. It implies that the capital structure mix of NBFCs is likely to be overleveraged. Loans and advances of the sector have increased by 21.2% with investments growing by 13.4%. Net income showed a positive growth of 30.8% in 2017-18. Return on Assets and Return on Equity were 1.9% and 8.4% in 2017-18, respectively.

From asset quality and capital adequacy viewpoint, GNPAs of the NBFC sector as a percentage of total advances had gone down from 6.1% in 2016-17 to 5.8% in 2017-18. NBFCs' capital adequacy ratio (CAR) decreased up from 22.5% in 2016-17 to 22.9% in 2017-18, but dropped from 27.5% in 2013-14. NBFC sector had about 15% combined exposure to capital market and real estate in 2017-18.

So, we can infer NBFCs have leveraged their capital structure with more debt and lesser equities. It is understood from FSR 2018 that NBFCs are the largest net borrowers of funds from the financial system with gross payables (current liabilities) of ₹7,170 billion and gross receivables (current assets) of ₹419 billion in March 2018. So, the current ratio (current assets/current liabilities), being a yardstick of liquidity, is as low as 0.058 (much below finance industry benchmark).

A breakup of gross payables indicates that NBFCs received 44% of funds from scheduled commercial banks followed by 33% from AMC-MFs, and 19% from insurance companies. Long-term debt funds followed by long-term loans and CPs were major sources of fund raising for NBFCs in 2017-18.

NBFCs are facing a maturity problem between their rate-sensitive assets and liabilities arising from assets (long-term loans) and liabilities (short-term borrowings) mismatch. This, coupled with liquidity, poses a threat to their solvency that can show a declining net worth.

RBI had conducted stress tests on the credit risk for NBFC sector and individual NBFCs for 2017-18 and found that under a pessimistic scenario (sudden increase in GNPAs at 99% level of confidence), NBFCs' capital adequacy ratio (CAR) will decline to 20.4% which is still above the prescribed level of 15% for tier-I & II capital. For individual NBFCs, around 10% of companies would not be able to comply with the minimum regulatory norms under the said pessimistic scenario.

Can the crisis be averted? NBFCs have been plagued with liquidity and maturity problems, but they have reportedly a high capital adequacy ratio. So, based on the two indicators, one can only conjecture the likelihood of a crisis. For confirming this phenomenon, we have to look into the FSR (issue 18) likely to be released in a month's time. Meanwhile, RBI and SEBI must take measures similar to PCA devised for banks in FY17.

NBFCs cannot depend on AMC-MFs or commercial banks for fund raising as the rollover risk has increased and asset-liability mismatch has widened. So, internal financing from reserves and surpluses can be a way out but for a few. Injection of fresh equities from the capital market may not be possible as the market sentiment has been muted post the debacle of a few large players in housing and real estate. Long-term bond market is not mature enough to meet the sector requirement. Bailing out a large number of NBFCs is not a solution due to moral hazard and principal-agent dichotomy. Should commercial banks come forward and take over ailing but systemically important NBFCs? We have no straight answer. Principle-based financial reporting for 2018-19 would give a clear picture where NBFCs stand. A few may survive and many could fall—asset-light NBFCs can withstand the test of time as compared to asset-heavy ones.

## WORLD TELECOM DAY

# Standards for ethical, trustworthy design

The role of tech standards, their global versus local nature, and the need for interdisciplinary approach

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**THE ANNIVERSARY** OF the signing of the first International Telegraph Convention and the creation of the International Telecommunication Union (ITU) is celebrated on May 17 as the World Telecommunication and Information Society Day. The theme this year is 'Bridging the Standardization Gap'. The Secretary General of the ITU, Houlin Zhao, has indicated in his message that the upcoming 5G standards, augmented by AI and autonomous systems, will support a new range of applications from self-driving cars to safer and smarter cities.

Standards promote interoperability, and act as a platform for large-scale adoption of technologies. Standard bodies such as the ITU, Institute of Electrical and Electronics Engineers (IEEE), 3rd Generation Partnership Project (3GPP), American National Standards Institute (ANSI) and International Organization for Standardization (ISO) have been promoting standards for the development and adoption of technologies worldwide. Although some countries and companies developed country-specific standards—such as the Time Division-Synchronous Code Division Multiple Access (TD-SCDMA) by China and Betamax (video tape recording standard) developed by Sony—most failed to attract adoption. Oz Shy, the noted econo-

mist, in his book 'The Economics of Network Industries' illustrates how countries and firms benefit by mutually recognising standards compared to recognising their own standards in their product offering.

Most technology standards developed so far are, in general, country- or region-agnostic—such as the IEEE 802.11 standard for Wi-Fi or the Long Term Evolution (LTE) by 3GPP. However, as autonomous systems powered by AI and big data are being deployed across sectors, countries have started developing local standards and guidelines for privacy protection, preserving human rights and expressions,

traceability, and accountability for legal protection, amongst others. One of the reasons for this emerging paradigm is that attributes such as privacy, data protection, sovereignty of nations, and human autonomy can have different connotations and interpretations across demographics, gender, race, religion, and geographical regions. Hence, it is a challenge for global firms to produce products and services that meet the varying standards.

To cite one initiative that has garnered worldwide support is the Unicode Standard for consistent encoding, representation, handling of text expressed in most of



the world's writing systems. The standard is maintained by the Unicode Consortium, and as on March 2019 the most recent version—Unicode 12.0—contains a repertoire of 137,993 characters covering 150 modern and historic scripts, as well as multiple symbol sets and emojis. Organisations such as the ICANN have adopted Unicode as a replacement of ANSI.

Notable work has been started by the IEEE Global Initiative on Ethics of Autonomous and Intelligent Systems along with organisations such as the Japanese Society for Artificial Intelligence, the Dalai Lama Center for Ethics and

Transformative Values at MIT, and the Systems, Man, and Cybernetics Society in the development of standards on Ethically Aligned Design (EAD)—the first version of which has been released in March 2019. Building on eight core principles such as human rights, well-being, transparency and accountability, the EAD is likely to inspire IEEE P7000 series of standards in the future for AI and autonomous systems. As machines powered by AI increasingly mediate our cultural, societal, economic and even political interactions, the EAD augurs well. A couple of examples from the EAD deserve attention. Our societies have not yet established standards or guidelines as to how human norms and values should be incorporated into intelligent and autonomous systems. The values vary across cultures, regions and races. However, when the autonomous systems increasingly take over human oversight and autonomy in many aspects of our lives, then they need to incorporate and learn the norms and values of the societies with which they interact. The systems and algorithms must act responsibly without any bias or discrimination; embedding clear traceability of the causes of failure, if any; and be responsible and accountable. The recent enactment of algorithmic accountability requirements (in the US) require standards for verification and val-

idation of algorithms that are embedded in autonomous systems.

As technologies such as mobile broadband, robotic voice assistant, face recognition and biometric sensors embrace individuals and societies, an interdisciplinary approach to ethical and trustworthy autonomous systems is the need of the hour. In a research paper that appeared in the 'Nature', a collection of 23 authors from as many countries and institutions pointed out that the study of AI systems and machine behaviour requires cross-disciplinary efforts including computer scientists, social scientists, economists, psychologists and lawyers. Research institutes and government funding agencies can play a very important role in the design and development of large-scale neutral and interdisciplinary studies in AI, which can explore, apart from the technical aspects, the principles from other sciences to build guidelines and standards for autonomous systems.

China has taken the lead, with close to \$15 billion investment in AI research. In India, the NITI Aayog has drafted a strategy for AI, proposing creation of a National AI Marketplace (NAIM). Hopefully, these initiatives should promote the development of standardised autonomous products and systems that behave responsibly and even with a bit of emotion!