Insured's dilemma: Should you flout safety norms to get the claim?

CONSUMER PROTECTION

JEHANGIR B GAI

Ghatge Patil Hero, which is an authorised dealer for Hero MotoCorp, had insured its stock of motorcycles with New India Assurance. The policy was valid from January 1, 2019, to December 31, 2019.

During the tenure of the policy, there was heavy rainfall due to which the entire city of Sangli was flooded for about eight days from August 6 to 13. The entire stock of 760 brand new unregistered two-wheelers remained submerged under five-six feet of water during this period. Since muddy water went into the engine, transmission, fuel tank, electric system, suspension, and other vehicle parts, all the motorcycles were damaged beyond repair.

A claim of about ₹3.83 crore was lodged for total loss. The insurer appointed a surveyor, who found the claim to be genuine. New India, the insurer, agreed to settle the claim, but the hitch was that it insisted upon all the vehicles being registered in its name so that it could resell them to the highest bidder.

A dispute arose because it was impossible to legally register the vehicles in the name of the insurer in view of the legal requirements under the Motor Vehicles Act. The law requires the vehicle manufacturer to submit Form 22 certifying the roadworthiness of a vehicle and compliance with emission and noise standards. In the absence of this certification, a vehicle cannot be registered. Since the vehicles were totally damaged and it was not possible to repair them, Hero MotoCorp refused to give such a declaration.

Even though Hero MotoCorp clarified its legal position in a written communication to New India Assurance, the insurer refused to consider it on the pretext that the manufacturer was not a party to the insurance contract, and that the policy had been issued to the dealer, Ghatge Patil Hero. Also, ignoring the provisions of law regarding roadworthiness of the vehicle, New India adamantly refused to settle the claim unless the vehicles were registered in its name. The insurer contended that the procedure for transfer of vehicles, which were stolen or involved in an accident, would be applicable.

A false declaration by the insured could compromise the safety of the buyers to whom the vehicles are sold

The insured relied on a circular issued by the Insurance Regulatory and Development Authority of India that if a vehicle, even after registration, is found to have become unfit, unsafe and not roadworthy, its registration certificate would have to be cancelled. The insured also differentiated between a claim for theft or accident, and a claim for total loss of the stock of goods. Yet, New India refused to budge from its stand.

The dispute raises vital questions about ethics, safety, and the right to life. Will it not be illegal, unfair and unethical to attempt to coerce a party to give a false certificate and declaration regarding the fitness of a vehicle? If a party succumbs to the pressure and gives a false declaration just to get its claim settled, will it not compromise the safety of the purchasers to whom the vehicles are sold later by the insurer?

The writer is a consumer activist

Don't let fear of high valuations lead to exiting equity markets

From its March 23 low of 7,610, the Nifty50 has risen to 14,347. Its trailing price-to-earnings ratio has soared from 17.15 to 39.45. As valuations turn expensive, the instinct among investors is to stop SIPs or even exit. But equities reward time in the market, rather than timing the market. Three mutual fund industry stalwarts explain why staying the course is the optimal choice

'Equity markets reward patient investors'

Prashant Jain

Executive director & chief investment officer, HDFC AMC

It is tempting to make a case for being underweight on equities after what has undoubtedly been a big move, but I remain optimistic. For all the pain that came with Covid, there were gains too for the economy. Low oil prices are likely to save US $25 billion in 2020-21 and India is likely to be current account positive after 16 years. The push that Covid gave to the shift of manufacturing away from China could improve India's GDP growth by 1-2 percentage points per annum for many years. The icing on the cake is the tsunami of liquidity at never-seen-before rates, which has propelled the affordability of homes in India and ignited hope for the perpetually capital-starved infrastructure sector.

Equities are slaves not just of earnings but also of the cost of capital. Every 1 percentage point decline in cost of capital increases the fair value by around 10 per cent. Seen in this light, Indian equities are not as expensive as some believe.

The averages hide more than they reveal. While the Sensex in end-December 2020 was at around 2.3x its December 2007 levels, the FMCG index was at 4.7x, the PSU index was at only 0.6x, and others were in between. The divergence in sector valuations is near an all-time high. This market is very expensive in some pockets, dirt cheap in some, and its belly is reasonably valued.

While the markets are hard to forecast in the near term, in equities patience is rewarded over time. As and when interest rates move up in developed markets, there is a risk of equities selloff there, which could trigger a correction here as well. Be prepared to ride out such occurrences.

'Use a true-to-label balanced advantage fund'

Equity markets witnessed a raging bear and bull market in a roller-coaster ride in 2020. Flows (record buying by foreign portfolio investors and retail investors), sentiments (fall in the number of active Covid cases and rising economic activity) and earnings (highest quarterly profits in September 2020 quarter) supported a V-shaped recovery. While flows and sentiments are fickle, fundamentals provide strong support to the market. The bulls believe that earnings momentum will sustain in 2021 as despite a 7 per cent drop in sales in the September 2020 quarter, Nifty50 companies posted a 17 per cent year-on-year growth in profit after tax (PAT). The bears believe that cost cuts helped achieve a one-time spurt in PAT. Markets are discounting that earnings will sustain in 2021 if vaccination allows normalcy of economic activity to be restored.

Nilesh Shah

Joint president & MD, Kotak Mahindra AMC

Retail investors must maintain a disciplined asset allocation, especially towards equities. Valuations in March gave them an opportunity to be overweight in equities. The current valuations require equal-weight allocation to equities. If an investor doesn't want to carry the burden of allocation, then investment in an Asset Allocator Fund or a true-to-label Balanced Advantage Fund will be appropriate.

'Keep a close eye on earnings trajectory'

Anoop Bhaskar

Head (equities), IDFC AMC

After a dismal 2019-20, the markets are primed for a strong revival in earnings. The trajectory of earnings growth will be the most critical factor that will influence the markets, as valuations, boosted by benign monetary and fiscal policies, are at an elevated level.

Due to the pandemic and the lockdown during the June 2019 quarter, earnings were downgraded sharply for 2020-21. GDP estimates forecasted 10 per cent and even 15 per cent de-growth. However, the swifter-than-expected economic recovery led to a more robust September quarter. Upgrades then exceeded downgrades three times, a rarity, after years of earnings disappointment. Estimates for 2020-21 rebounded quickly from negative to positive territory, despite the debacle of the first quarter.

However, 2021-22 and beyond is what investors are playing for now. In the past, the track record for forecasting two-year forward earnings growth has been poor, with actual earnings coming in lower by 25-30 per cent. Currently, estimates for 2022-23 appear to be building growth rates higher than the peak growth achieved in any period during the 2013-19 phase across sectors.

Pockets of value are available in four buckets. The first is PSU stocks, comprising banks, refiners, metals, mining, and heavy engineering companies. The second is corporate lending focused and mid-sized banks. The third is cyclical sectors, including industrials, automobiles and auto ancillaries, and metals and commodity companies.

The last bucket is small caps. If the economic recovery is robust and the RBI does not move aggressively into a high real interest zone, small caps could benefit the most. This was reflected in the market recovery after a sharp fall in 2009 (global financial crisis), 2014 (general elections), and 2017 (post demonetisation) as well.

212 தொழில் முனைவோர்களுக்கு ரூ. 41.24 கோடி வங்கி கடன் உதவி

அமைச்சர் பாண்டியராஜன் வழங்கினார்

திருவள்ளூர், ஜன. 10– திருவள்ளூர் மாவட்டத்தில் 212 தொழில் முனைவோர்களுக்கு ரூ. 41.24 கோடி மதிப்பிலான வங்கி கடன் உதவிகளை அமைச்சர் பாண்டியராஜன் வழங்கினார்

திருவள்ளூர் மாவட்டம், புன்னப்பாக்கம் ஊராட்சியில் மாவட்ட வெளிப்பயணியர் மாளிகையில் அனைத்துறை தனியார் நிறுவன மண்டலத்தில் தொழில் முனைவோர் மேம்பாட்டு பயிற்சி முகாம் தமிழ்நாடு அரசின் மாவட்ட தொழில் மையம், இந்திய அரசின் சிறுபான்மை நலத்துறை மற்றும் சிறுபான்மை வங்கி, இந்திய வங்கி, இந்தியன் ஓவர்சீஸ் வங்கி, எஸ்பிஐ வங்கி, தமிழ்நாடு தொழில் முன்னேற்ற வங்கி, தமிழ்நாடு மாநில வேலைவாய்ப்பு திறன் மேம்பாட்டு நிறுவனம், தாட்கோ ஆகியவை சார்பு குறு மற்றும் நடுத்தர தொழில் முனைவோர்களுக்கு வங்கி கடன் மானிய வழங்கும் நிகழ்ச்சியில் தமிழ் ஆட்சி மொழி, கலைபண்பாடு மற்றும் தொல்லியல் துறை அமைச்சர் பாண்டியராஜன் 212 பயனாளிகளுக்கு ரூ. 41.24 கோடி மதிப்பில் மானியத்துடன் கூடிய வங்கி கடனுதவிகளை வழங்கினார்.

இந்நிகழ் நிகழ்ச்சியில் மாவட்ட முன்னோடி வங்கி மேலாளர் ஆனந்தன் வரவேற்புரையாற்றினார். இந்நிகழ் நிகழ்ச்சியில் மாவட்ட ஆட்சித் தலைவர் பொன்னையா தலைமை வகித்து பேசுகையில் கூறியதாவது:

இன்று நடைபெற்ற நிகழ்ச்சியில் 212 பயனாளிகளுக்கு ரூ. 41.24 கோடி மதிப்பில் மானியத்துடன் கூடிய வங்கி கடனுதவிகள் ஆணைகள் வழங்கப்பட்டுள்ளது. இந்நிகழ் வங்கி, இந்நிகழ் ஐஓபி வங்கி, கனரா வங்கி, இந்நிகழ் ஐஓபி வங்கி, தமிழ்நாடு தொழில்முறை முன்னேற்ற நிறுவனம் இணைந்து வங்கி கடனுதவி வழங்கியுள்ளன. சிறு, குறு மற்றும் நடுத்தர தொழில் முனைவோர் மற்றும் முன்னேற்பாடுகளுக்கு விழிப்புணர்வு ஏற்படுத்த அரங்கங்கள் அமைக்கப்பட்டு, அதன் மூலம் விழிப்புணர்வு ஏற்படுத்தப்படுகிறது.

மாவட்டத்தில் மேற்கண்ட சிறு, குறு மற்றும் நடுத்தர தொழில் முனைவோர்களுக்கு வங்கி கடனுதவிகள் இதுவரை 2 மாதத்தில் திருவண்ணாமலை தலைமை அலுவலகம் மூலம் 212 பயனாளிகளுக்கு ரூ. 41.24 கோடி மதிப்பில் மானியத்துடன் கூடிய வங்கி கடனுதவிகள் ஆணைகள் வழங்கப்பட்டுள்ளது. இந்நிகழ் வங்கி, இந்நிகழ் ஐஓபி வங்கி, கனரா வங்கி, இந்நிகழ் ஐஓபி வங்கி, தமிழ்நாடு தொழில்முறை முன்னேற்ற நிறுவனம் இணைந்து வங்கி கடனுதவி வழங்கியுள்ளன. சிறு, குறு மற்றும் நடுத்தர தொழில் முனைவோர்களுக்கு விழிப்புணர்வு ஏற்படுத்த அரங்கங்கள் அமைக்கப்பட்டு, அதன் மூலம் விழிப்புணர்வு ஏற்படுத்தப்படுகிறது.

மாவட்டத்தில் மேற்கண்ட சிறு, குறு மற்றும் நடுத்தர தொழில் முனைவோர்கள் பயனடைந்து