GST: Issue & impact between Centre & State

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Abstract: Taxation was first imposed in Ancient Egypt around 3000 B.C.- 2800 B.C. during the first dynasty of the old kingdom. Records point toward from that period that the Pharaoh would conduct a biennial tour of the kingdom, collecting tax revenues from the people. Other data indications are granary receipts on limestone flakes and papyrus. Taxes are collected for serving the primary purpose of providing sufficient revenues to the State and have become a mechanism through which the social and economic objectives of a welfare state could be achieved. The introduction of GST is a very significant step in the field of indirect tax reforms in India.GST also known as the Goods and Services Tax is defined as the giant indirect tax structure designed to support and enhances the economic growth of a country. Current GST system makes equal balance to big enterprises as well as SMEs. This paper will help to show that the VAT, benefits of VAT, GST, issues between centre & state, Central – State financial relations, and GST impact on Centre- State relationship

Keywords: VAT, benefits of VAT, GST, issues between centre & state, Central – State financial relations, and GST impact on Centre- State relationship

1. Introduction

Taxation system is instrumental in removing poverty and inequality from the society. A tax can be said to be a non-penal, yet compulsory transfer of resources from the private to the public sector levied on the basis of a predetermined criteria. GST is a tax on goods & services with Comprehensive and continuous chain of set off benefits from the producer's point & services provider's point up to the retailer level. The GST is being billed as the significant next step in indirect tax reforms since VAT was successfully introduced all over the world. However, in introducing GST, there are objectives from some state Governments. So before moving further to the issues between Centre & States regarding GST, lets understand what exactly is VAT and GST.

1.1 VAT

VAT is paid by the customer it is a tax paid on the purchasing price. The amount of VAT that user pays in the cost of product less any of the costs of the materials used in the product that have already been taxed. VAT is the paid of the amount value added to the product at every stage of production it was introduce because the create stronger incentive to collect than a sales tax does.

1.2 Benefits of VAT

Reduce tax evasion

Encourage competitiveness of export

Tax structure becomes easier and more visible

Enhances tax compliance and results in higher revenue growth

Multiple taxes such as turn over tax, surcharge on sales tax, additional surcharge etc. have been put on end to.

2. GST

It is a basically a comprehensive VAT on most goods and services, where all tax payers expect the final consumer, get credit on the inputs.

Currently we have a dual VAT system – a central VAT and a state VAT. Since VAT has improved tax collection and compliance preassembly the same will happen when GST at both the central and state levels subsumes the many remaining indirect taxes, (such as entry tax, purchase tax, luxury tax) at varying rates, that have kept the indirect tax regime highly complicated and unstable. In this system the consumer pays the final tax but an efficient input tx credit system ensures that there is no cascading of taxes – tax on tax paid on inputs that go into manufacture of goods. Put simply, GST is levied only on the value added at every stage of production. The price of any input going into production will have cost & tax component. The system ensure that when the final tax is calculated, the tax paid on input is taken out & the tax is levied only on the cost of the good produced. The taxes Centre and state level are being subsumed into GST keeping in mind the federal structure of India, there will be two components of GST-CGST and the SGST. Both centre and states will simultaneously levy GST across the value chain. Tax will be levied on every supply pg goods and services. Centre would levy and collect CGST, the states would levy and collect the state Goods and services Tax on all transactions within a state. The input tax credit of CGST would be available for discharging the CGST liability on the output at each stage. Similarly, the credit of SGST paid on inputs would be allowed for paying the SGST on output.

COMMITTEE REPORTS

John Mathai Committee (1953): The Taxation Inquiry Commission was appointed by the Government of India on April 1, 1953 under the Chairmanship of John Mathai. The terms of reference of the commission were to examine the incidence and suitability of Central, State and Local taxation on various classes of people and in particular with regard to (a) modifications required in the present system of taxation and (b) fresh avenues of taxation. Lastly, the committee made several recommendations to the Government.

Nicholas Kaldor Committee (1956): British economist Nicholas Kaldor carried out, on the request of the Government of India from January to March 1956, a review of the Indian tax system particularly with reference to personal and business taxation. It follows that, the committee made the first systematic estimates of income tax evasion in India and recommended in favour of wealth tax, capital gains tax, and a personal expenditure tax.

F.C Badhwar Committee (1957): The Customs Re-Organization committee was appointed by the Government of India on January 23, 1957 under the chairmanship of Sri. F.C Badhwar to conduct a complete inquiry in to customs procedures and organization and to make recommendations for their improvement. The committee recommended a through revision of the customs Tariff by aligning it closely with the import trade control licensing schedule and the removal of anomalies in rates of duty for similar categories of goods.

DOCTORAL THESIS

Hagaragi, S.B (1998), had undertaken research on "Rationalization of Personal Taxation: A Study of Tax on Salary Income" in Gulbarga University, Gulbarga. The researcher in the study discusses the various components of salary under the provisions of Income Tax Act. Next, the study is generally primary data based and a sizeable number of respondents have been consulted by administering questionnaire. The researcher highlights the disparities and

redundancies existing in salary taxation of the employees. Furthermore, the drawback of the study is it relates to one head of income and the suggestions are relate to that head only.

Ramesh Babu, R.K. (2007), had undertaken research on "Commodity Taxation in India: Alternative System (An Evaluation)" in Bangalore University, Bangalore. The study compares the old regime of sales tax and VAT in the broader sense, which includes the process of registration to auditing. Apart from this other aspects like returns, assessments, refunds, penalties etc. have been brought out based on the primary data from the Bangalore city. The researcher traces the background of sales tax and value added tax in India and examined the role of VAT in State's fiscal position. The study also examined the structure of VAT in the state of Karnataka, the rationale for exemptions from VAT and inquired into the issues, implications emerging from the introduction of Value Added Tax (VAT) in Karnataka. In addition, the study suggests and argues that, the training to dealers is an investment in efficiency. Finally, the Government need to organize workshop and seminars to educate the assesses.

RESEARCH ARTICLES

Purohit (1982) (Placeholder1) examined the fiscal importance of sale tax in the India. In the first place, overall the share of sales tax in own revenue of the states increased from about 31percent in 1960-61 to 57percent in 1978-79. He presented economic analysis of sales tax in India and pointed out that wide variatition prevailed among different states in the rates of sales tax. He also pointed out the limitations of **Central sales tax** (CST) & discussed the need for revamping **CST** rates. He also highlighted the need to tax the services. Further, examining the impact & incidence of sales tax. Besides this, he concluded that sales tax might out always be regressive because progression could be introduced through rate variations & adoption of physical –ingredient rule.

Purohit (1997), reported that most of the federations did not adopt VAT. Brazil was the only country with independent VAT both at federal and state level, and as such the researcher tried to examine the silent features of VAT implementation in Brazil. Afterwards, the share of VAT in total domestic taxes on goods and services increased in Brazil, indicating increased fiscal role of the tax. The federal VAT in Brazil was levied on delivery of industrial products at producer's level. Eventually, the tax rates were based on degree of processing of commodities and nature of commodities. Municipal governments were also authorized to impose tax on services which was not included in state VAT. Finally, it was reported that Brazil was further contemplating to reform the VAT system. The researcher suggested that India could also follow Brazilian model of VAT.

Mansor (2013), GST has always been considered as a tool in the hands of any Government to increase revenue. The Malaysian Government introduced the sale tax in Malaysia in order to reduce its budget deficit. As a result, the authors in the paper have discussed the readiness of the Malaysian economy in adopting the newly introduced GST along with the reactions of various sections of the society.

Dhanda (2015) studied, "GST in India: A Key Tax Reform" and he concluded that due to dissilent environment of India economy, it is demand of time to implement GST.

Arunabha Roy (2017) this study highlights that GST will make India a tax neutral market by incorporating most of the dominant indirect taxes multiple tax system and their effect are the major obstacle under current indirect tax system. That is the reason; prices of goods and services are exaggerated .By integration of most of the indirect taxes, the GST will remove the effect of multiple taxes system. Furthermore, it will create a win- win situation for all interested parties.

Rajat Deb (2017), in his research paper on tax reforms and GST. His study based on the tax reforms and GST to synthesize the research findings and to direct the future research avenues. Literature on tax reforms has attained momentum in developing countries for the last two decades and in India when it has decided to implement SST from 2017-18. Hence, Results have recognized the tax reforms that have been executed worldwide with multiple objectives; it has admitted with few limitations.

OBJECTIVES OF STUDY

The study will be based on following objectives

- 1) To study the VAT, benefits of VAT & GST in India
- 2) To study on issues between Centre & States.
- 3) GST impact on Centre- State relationship

HYPOTHESIS

The following Research questions and hypothesis will be examined during the course of study.

- **H0-1**: There is no significant effect of GST on Centre-State relationship.
- H0-2: There is significant effect of GST on Centre-State relationship

RESEARCH METHODOLOGY OF THE STUDY

The present study is partly descriptive and explorative. The data for this study is obtained from primary and secondary sources.

Primary Data:

Data on total sales /VAT is collected primarily from various organizations in India and few states as well. Primary data of 110 industries have been collected through, Observation method, Personal Interviews, Mobile phone interviews, discussion with experts, Questionnaire and schedule, case studies etc Data of all the industries were grouped into different categories, such as infrastructure industries, trade, manufacture, consumer goods industries etc.

Secondary Data:

Secondary data were collected from referred books, reports, and conference papers, referred journals, magazine/periodicals, ministry of finance (Economic Survey) Govt. of India. In the present study, following statistical tools were used for analysis of data, simple tabular and percentage method is applied and estimation of annual compound growth rate and coefficient of variation of total revenue from sales and sales tax /VAT for each organization, state and the country as a whole has been made by using growth rate formula. Moreover, SPSS (**Standard Statistical Package**) is used to calculate the linear regression and t-test, f-test, Chi-square to test the hypothesis of the research study.

Sample size of the study:

There are a large number of industries in India. For our studies I have taken 110 Industries . In addition, the primary data is taken from the sample respondents who are associated with manufacturing activities. I have also mentioned the impact of GST on trade, manufacture, services etc.

For our analysis, we have further classified industries on the basis of turnover into small, medium and large industries.

Data Collection:

This study is based on primary as well as secondary data. I have collected data with the help of following technique; the primary data of 110 industries was collected:

- I. Personal Interview Methods
- II. Telephone (Mobile) Interview
- III. Questionnaires
- IV. Case Studies, etc

The Questionnaires were designed to collect the information about Issues and impact of GST on Centre- State relationship from 1991 to 2020. The Secondary data is collected from referred Journals, reports, conference papers, Referred journals, magazines/ periodicals, publication of Reserve Bank of India, Ministry of finance (Economic survey) Govt. of India.

3.Issues between Centre & States

The principal issues are- The fiscal autonomy of states. The Compensation mechanism for possible revenue loss in future. If the same GST rate is applied to all sates & the states cannot impose any other taxes, some states may feel they would lose the power to raise revenue, especially if they requires the funds to come good on electoral promises of distribution freebies.

3.1 Details of the issues

The Centre is promising to compensate the states for any revenue loss for the first three years after GST is introduced.

But a uniform rate may not compensate the revenue loss for all the states because:

- Some states are more industrialized.
- Some are more agricultural.
- Some are resource-rich.

Therefore, Some states feel they should have the power to impose supplementary taxes, and at appropriate rates as necessary, even if a state-level GST is introduced.

But the Centre is not in favour of allowing states this freedom, as that would undermine the objective of a single market with a Uniform stable tax regime. Further, as expenditure on services as a percentage of income typically goes up with a rise in income, the inclusion of services in the GST net will provide more automatic revenue gain, which the states will now share with the Centre.

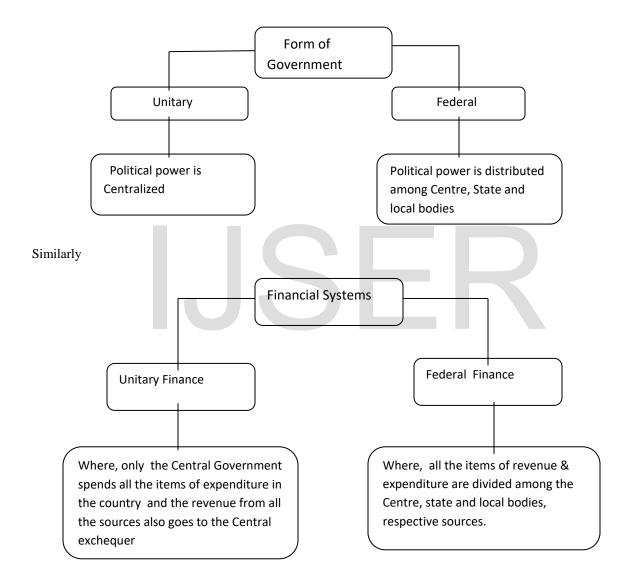
Well the GST Model would be able to bring a balance in between fiscal autonomy & harmonization which is of course better than the present complex system. It would also avoid "Cascading" thereby reducing prices & improving the international cost competitiveness of Indian goods & services. So, as to build a consensus & put a good system in place, its better to be slow in bringing up this system instead of pushing it through a mess haphazard compromise hurriedly.

3.2 Centre-State Relations during Emergency.

1). During a national emergency (**Under Article 352**) the state government become subordinate to the Central Government. All the executive functions of the state come under the control of the Union Government.

- 2). During a state emergency (**Under Article 356**), the resident can assume to himself all or any of the functions of the government of the state and all or any of the powers vested in or exercisable by the Governor or authority in the state other than the legislature of the state.
- 3). During the operation of financial emergency (**Under Article 360**) the Union may give directions to any state to observe such canons of financial property (propriety) as may be specified giving of such other directions as the President may deen necessary and adequate for the purpose.

3.3 Centre-State Financial Relations



Features of Federal Financial System:

- Sources of income and expenditure are distributed between the central and state government.
- The jurisdiction and rights are clearly mentioned in the constitution.
- Sources of income and expenditure are different for the central and state Government.

• Although, state government has some administrative autonomy, yet they remain subordinate to the centre.

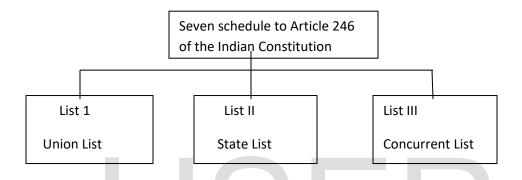
Disputes are resolved via constitution. Therefore, India follows a Federal Finance System.

4 Federal Finance in India

India is a federal country as per its constitution.

There is an allocating of resources between centre and states.

There is a clear mention regarding financial powers in the constitution and according to which, there are three types of list;



Central Government	Concurrent List	State Government	
Union List Central Government has power to make laws.	Both Central and state government jointly make laws	State List State Government has power to make laws	
Defence	Education	Police	
Banking	Forest	Trade	
Currency	Trade	Agriculture	
Foreign affaires	Marriage	Irrigation	
Communication	Adoption		
	Succession		

4.1 Union State Financial Relations.

- 1. Distribution of Taxes
- a) The 80th Amendment of 2000 was enacted to give effect to the recommendation of the 10th Finance Commission.
- b) The Commission recommended that out of Central taxes and duties 29% should go to the states.
- c) ALTERNATIVE SCHEME OF DEVOLUTION, came into effect
- d) The 88th Amendment added new article 268-A dealing with service tax. Also inserted new subject to union list Service tax (92-C).levied by Centre but collected and appropriated by both union and state.

Article 268- Taxes levied by Centre but collected and appropriated by state; The proceeds of these duties levied within any state do not form part of the consolidated fund of India but are assigned to that state.

Article 268A- Services Tax levied by the Central Government but collected and appropriated by Centre and States; The principal of appropriate are formulated by Parliament.

Article 269- Taxes levied and collected by Centre but assigned to the State: Taxes on sale of purchase of goods in course of inter-state trade and commerce. Taxes on the consignment of goods in the course of inter-state trade and commerce. Principles laid down by Parliament.

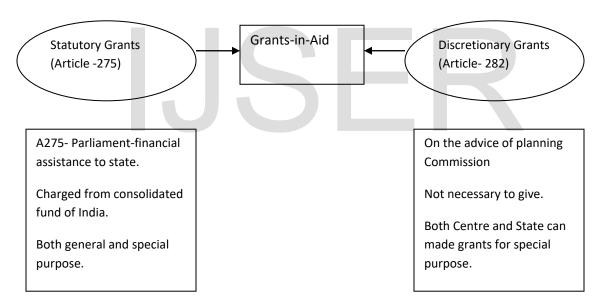
Article 271- Surcharge on certain Taxes and Duties for the purpose of centre; Parliament can levy surcharge and duties as mention in A269 and A270. Goes fully to union.

Taxes Levied and collected and Retained by the States; Enumerated in State list-20 in numbers. tolls, capitation, fees, sales tax, land revenue, excise duties, taxi on agriculture income etc.

2. Distribution of Non-Tax Revenue

Centre	State
Posts, telegraph, banking, broadcasting, railways, coinage currency, psu 's, escheat and lapse	Irrigation, forests, fisheries, psu 's (State), escheat and lapse.

3. Grants- in – Aid to the States



4. Others Taxes.

Tax	Sub-Category	Existing Tax structure	Proposed Tax Structure
		Excise	GST
Indirect Taxes	Central Tax	Customs	Customs. Additional Duties of Customs(Commonly known as CVD) and Special Additional Duty of Customs (SAD) to be subsumed under GST
		Service Tax	GST
	State Tax	VAT/CST	GST
		Entry Tax	GST
		Entertainment and Amusement Tax	GST (expect when levied by the local bodies)
		Taxes on lotteries, betting and gambling	GST
		Purchase Tax	GST
		Stamp Duty	Stamp duty
		Luxury Tax	GST

5. GST impact on centre - state relationship

GST will affect mainly fiscal relationship between centre and state. Till date the centre and state were independent on the tax collections. There was a clear demarcation between state and central taxes in the Indian Tax system. This is because GST will be collected at the point of sale and not the point of manufacturing. With the implementation of GST, the taxes now need to be shared by both the governments. It is to be made clear that implementation of GST is not giving any fiscal relief to the tax payer .Instead we end up paying a bit more than what we used to pay earlier. Under GST, the Centre and state has to agree upon a fixed tax rate. Which till today were independent of each others. The main advantage of GST will be that it would create a unified national market. It is of course absurd to state that India does not have a unified national market at present and implementation of GST will be one of the first step towards creation of unified market. In addition, with the implementation of GST, the richer states are going to loose much of revenues. This is because GST will be collected at the point of sale and not the point of manufacturing. That means, if a manufacturing unit in Maharashtra is selling its product in Orissa, then the government of Orissa can collect the tax and not the state of Maharashtra. This means the states who are not financially strong will get an opportunity to gain revenue. To compensate this, the central government has decided to compensate the state government with the losses they may incur post implementation of GST for the first 5 years .Implementation of GST will be a big challenge for the central government .As they have to deal with various state governments.

In short, GST helped restate centre-state relationship

GST replaced a plethora of state and central taxes. Further, it is a destination-based tax being levied on value addition. The goods and services tax, or GST is perhaps the biggest fiscal reform that the government has embarked upon post- independence . It restated centre-state relationship, changed the way business is being conducted and how governments are operating.

a) One Nation - One Tax

GST replaced a plethora of state and central taxes. Further, it is destination based tax being levied on value addition. The tax is collected in the state where consumption occurs(Under the Pre-GST regime VAT was being collected by the state of origin). The taxes charged on purchases is set off against output taxes, resulting in tax being imposed only on value addition by the taxpayer. This has the following impact:

- Reduction of the cascading impact of taxation through the economy.
- Movement towards an efficient supply chain primarily designed to suit market needs and optimizes efficiencies. This has meant reduction in stocking points and economies of scale in logistics infrastructure.
- Removal of check –posts and abolition of state entry taxes or local octroi duties has resulted in significant improvement in efficiency and certainty of logistics.

b) Incentive Schemes Redesign

GST being a destination tax, there is a direct correlation between consumption and tax revenue. Encouraging and competing for additional economic activity especially the ones that promote local consumption is warranted. Given the direct impact on revenues – competition for investments in services sector such as logistics IT/ITes and tourism – traditional manufacturing between states is increasing.

c) Digitization of Compliances

The compliance landscape has radically changed under the GST regime. Now all business – to – business (B2B) transactions, as also input tax credits are digitally reported and monitored. At one level digitization has had an immediate impact on the tax administration's ability to reduce evasion and pushing taxpayers to be tax- complaint. At another level ,digitization is enabling taxpayers to automate a number of finance, commercial and tax related processes. Furthermore, there is a lot of potential for the use of analytics on the wealth of data available for Private and Public use.

d) Cooperative Federalism

To enable implementation of GST, the constitution of India was amended, whereby Central and state governments ceded their individual exclusivity of power of taxation. At present under the shared powers of taxation an eligible supply is taxed by both governments. This kind of federal co operation is unprecedented. The constitution also established the GST council- a body made up of the finance ministers of states and the centre every aspect of legislative administration is dealt with with jointly by all the disparate state governments and the central government while the involvement of so many constituents makes the entire process of administration and policymaking a bit chaotic, the cooperation is working well. This has heralded a new wave of interaction and coordination between all governments.

d) GST 2.0

GST is a work in progress. There is an urgent need to simplify and rationalize the legislation. There are several steps that also need to be taken to improve the tax administration framework. As of date, taxpayers are conceptually exposed to multiple assessments, inquiries ,audits etc in every state. If this is not checked, it will lead to a material upsurge of litigation, which in turn will increase uncertainty to directly impact the investment climates

The Mahatma said: "The future depends on what we do in the present". GST has had a decent beginning in driving the nation towards competitiveness and compliance but a great future depends on how we handle and improve the present.

6 Centre- state Financial Relations in the context of GST

The GST is the largest- ever tax reform. It focuses on cooperation instead of self – interests .Centre and Union government have agreed to give up the right to tax for the purpose of common goods. To make one nation, one tax possible, centre and state are pooling in the sovereignty.

6.1 GST and Centre-State Relation

Taxing powers are divided by constitution with no overlapping. The Centre has exclusive power to levy tax on the manufacture of goods, while the states has power to levy tax on sale of goods or purchase of goods. In the case of interstate sale of goods, the centre has power to levy the tax. The states are not empowered to collect the tax on scale of goods in the course of export or import from India.

6.2 Taxes to replaced by GST

Direct tax is collected by central government whereas Indirect tax used to be collected by the central and state government & local bodies. For instance, entry tax and VAT were charged by state government. Other taxes like property tax, water tax, toll tax etc.were levied by the local bodies. For better enforcement tax payment and ease of compliance government subsumed a large number of indirect taxes in GST. But many of us think that with the commencement of GST in the nation, all the previous taxes have been replaced. On the other hand, there are still some taxes that are still charged independently.

Central Taxes replaced by GST

- Additional duties of excise.
- Central excise duty
- Excise duty levied under Medicinal & Toiletries preparation Act.
- Additional duties of excise levied under Textile & Textile products
- Additional duties of customs (CVD & SAD)
- Service Tax
- Surcharge & Cesses
- Central sales tax

State Taxes replaced by GST

- State VAT/ Sales Tax
- Central sales Tax
- Purchase Tax
- Entertainment Tax (other than those levied by local bodies).
- Luxury Tax
- Entry Tax (All forms)
- Taxes on lottery, betting & gambling
- Surcharge & cesses.
- Taxes on advertisements.

Although GST's Motto is "One Nation One Tax", yet there are some taxes which are not covered under GST such as .

- Taxes not covered by GST
- Property tax & stamp duty.
- Electricity duty
- Excise duty on Alcohol.
- Basic custom Duty
- Petroleum crude, Diesel, petrol, ATF & natural gas.

Table 1. Government projects 2017 to 2020

	2017-18	2018-19	2019-20
Capital Exp	3,09.801	3,41,000	3,90,000
Revenue Exp	18,36,934	19,99,005	22,05,772
Total Exp	21,46,735	23,40,005	25,95,773
Nominal GDP (%)	11.75	12.3	12.3
Fiscal deficit (as % of GDP)	3.2	3.0	3.0
Revenue deficit (as % of GDP)	1.91	1.6	1.4

Source: Medium- term expenditure Framework

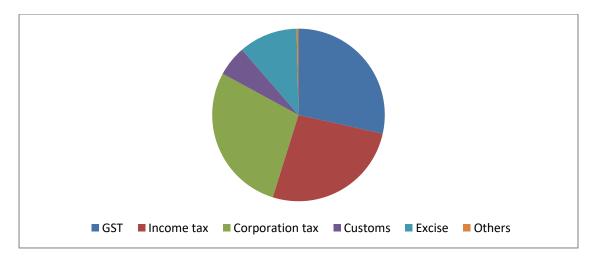
The framework forecasts a revenue spending of Rs 20 lakh crore in 2018-19 and Rs 22.05 lakh crore in 2019-20, compared to the budgeted estimates of Rs 18.37 lakh crore for 2017-18. Capital expenditure is forecast at Rs 3.41 lakh crore for 2018-19 and Rs 3.9 lakh crore in 2019-20 compared to nearly Rs 3.1 lakh crore budgeted for 2017-18. Total expenditure is expected to rise to Rs 23.4 lakh crore in 2018-19, and Rs 25.95 lakh crore in 2019-20, compared to Rs 21.46 lakh crore budgeted for 2017-18.

The projected increase in capital expenditure indicates that the Centre expects public spending in infrastructure to be the driving force of the economy. This means that in accordance with its expectations, private sector spending will remain muted even as the government and Reserve Bank of India work to clean up the toxic assets in the banking system.

The Centre estimates nominal gross domestic product growth of 12.3 per cent for 2018-19 and 2019-20, and reiterated its fiscal and revenue deficit targets for the next two years. It sees a fiscal deficit target of 3 per cent of GDP each for 2018-19 and 2019-20, and a revenue deficit of 1.6 per cent and 1.4 per cent for the two years. For 2017-18, nominal GDP has been forecast at 11.75 per cent, and the fiscal and revenue deficits are budgeted at 3.2 per cent and 1.9 per cent, respectively.

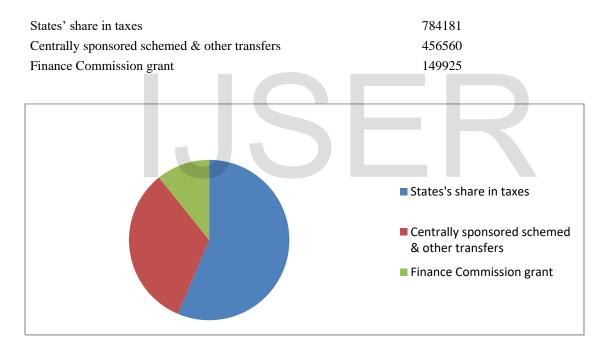
Table 2.Centre's tax revenue in budget 2020-21(Rs cr).

GST	6,90,500
Income tax	638000
Corporation tax	681000
Customs	138000
Excise	267000
Others	8520



Source: economictimes.indiatimes.com

Table 3.Centre's transfer to States (Rs Cr):



Source: economictimes.indiatimes.com

Conclusion

The taxation of goods and services in India has, hitherto, been characterized as a cascading and distortionary tax on production resulting in mis- allocation of resources and lower productivity and economic growth. It also inhibits voluntary compliance. It is well recognized that this problem can be effectively addressed by shifting the tax burden from production and trade to final consumption. A well designed destination—based value added tax on all goods and services is the most elegant method of eliminating distortions and taxing consumption. Under this structure, all different stages of production and distribution can be interpreted as a mere tax pass through, and the tax especially "sticks" on final consumption within the taxing jurisdiction. A "flawless' GST in the context of the federal structure which would optimize efficiency, equity and effectiveness. The flawless GST is designed as a consumption type

destination. VAT based on invoice – credit method. Well the GST Model would be able to bring a balance in between fiscal autonomy & harmonization which is of course better than the present complex system. It would also avoid "Cascading" thereby reducing prices & improving the international cost competitiveness of Indian goods & services. So, as to build a consensus & put a good system in place, its better to be slow in bringing up this system instead of pushing it through a mess haphazard compromise hurriedly.



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