MERGERS AND ACQUISITIONS: A CONCEPTUAL FRAMEWORK

Lalit Saraf

INTRODUCTION

Mergers and Acquisitions are the most popular form of corporate restructuring for expanding or increasing the size and volume of business. The corporate world today is witnessing a sudden surge in this form of corporate restructuring, sweeping across all the industries which has totally restructured the market place. It has been a prominent trend in the advanced capitalist countries since the late twentieth century. But only in recent times it becomes a regular phenomenon in developing countries. The total number of Mergers and Acquisitions worldwide increased almost four–fold during 1990 to 2001. This trend is different from earlier scenario where in the Mergers and Acquisitions was looked upon as a threat and had evoked images of dark shadows and backdoor entries to the corporate world. However, at present, it has assumed an international dimension due to global economic integration and dismantling of barriers to trade and investment.

Back to home, Mergers and Acquisitions is not new in the Indian Economy. In the past, companies have also used this form of restructuring regime; Indian corporate houses are now refocusing on the lines of core competence, market share, and global competitiveness. This process of refocusing has been accelerated by the arrival of foreign competitors. Naturally, this requires companies to grow and expand in businesses that they understand well. Mergers and Acquisitions is one of the most effective methods of corporate restructuring and has, therefore, become an integral part of the long–term business strategy of corporate enterprises. Under this background, the present chapter attempts to discuss trends, historical evolution, reasons, different forms and aspects of Mergers and Acquisitions.2

1 5th Year BBA LLB Student, Institute of Law, Nirma Universityy.
MERGERS AND ACQUISITION: THE CONCEPT

Mergers and acquisitions (M&A) is the area of corporate finances, management and strategy dealing with purchasing and/or joining with other companies. In a merger, two organizations join forces to become a new business, usually with a new name. Because the companies involved are typically of similar size and stature, the term "merger of equals" is sometimes used.

In an acquisition, on the other hand, one business buys a second and generally smaller company which may be absorbed into the parent organization or run as a subsidiary. A company under consideration by another organization for a merger or acquisition is sometimes referred to as the target.

MERGER

Merger refers to a situation when two or more existing combine together and form a new entity. Either a new company may be incorporated for this purpose or one existing company generally a bigger one survives and another existing company which is smaller is merged into it. A Merger may occur in two ways

- Merger through absorption: Absorption is a combination of two or more companies into an existing company. All companies except one lose their identity in a merger through absorption. An example of this type of merger is the absorption of Tata Fertilizers Ltd. (TFL) by TCL. TCL, an acquiring company a buyer, survived after merger while TFL, an acquired company a seller, ceased to exist. TFL transferred its assets, liabilities and shares to TCL
- Merger through consolidation: A consolidation is a combination of two or more companies into a new company. In this type of merger, all companies are legally dissolved and a new entity is created. In a consolidation, the acquired company transfers its assets, liabilities and share to the acquiring company for cash or exchange of shares. An example of consolidation is the merger Hindustan Computers Ltd., Hindustan Instruments Ltd., and Indian Reprographics Ltd., to an entirely new company called HCL Ltd. However, laws in
India use the amalgamation for merger. For that reason a discussion on amalgamation seems to be pertinent.3

ACQUISITION

Acquisition refers to the acquiring of ownership right in the property and asset without any combination of companies. Thus in Acquisition two or more companies may remain independent and separate legal entity, but there may be change in control of companies. Acquisition result when one company in any of the following ways:

- By entering into an agreement with a person or persons holding shares of controlling interest on the other company.
- By subscribing new shares being issued by other company.
- By purchasing shares of the other company at a stock exchange, and
- By making an offer to buy the shares of other company, to the existing shareholders of that company.4

HISTORY

Mergers and Acquisitions have played an important role in the transformation of the industrial sector of India since the Second World War period. The economic and political conditions during the Second World War and post–war periods gave rise to a spate of M&As. The inflationary situation during the wartime enabled many Indian businessmen to amass income by way of high profits, dividends and black money. This led to —wholesale infiltration of businessmen in industry during war period giving rise to hectic activity in stock exchanges. There was a craze to acquire control over industrial units in spite of swollen prices of shares. The practice of cornering shares in the open market and trafficking of managing agency rights with a view to acquiring control over the management of established and reputed companies had come prominently to light. The net effect of these two practices, i.e. of acquiring control over ownership of companies and of

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4 Ibid
acquiring control over managing agencies, was that large number of concerns passed into the hands of prominent industrial houses of the country. As it became clear that India would be gaining independence, British managing agency houses gradually liquidated their holdings at fabulous prices offered by the Indian Business community. Besides, the transfer of managing agencies, there were a large number of cases of transfer of interests in individual industrial units from British to Indian hands. Further at that time, it used to be the fashion to obtain control of insurance companies for the purpose of utilizing their funds to acquire substantial holdings in other companies. The big industrialists also floated banks and investment companies for furtherance of the objective of acquiring control over established concerns. The post-war period is regarded as an era of M&As. Large number of M&As occurred in industries like jute, cotton textiles, sugar, insurance, banking, electricity and tea plantation. It has been found that, although there were a large number of M&A in the early post-independence period, the anti-big government policies and regulations of the 1960s and 1970s seriously deterred M&A. This does not mean that M&A were uncommon during the controlled regime. The deterrent was mostly to horizontal combinations which result in concentration of economic power to the common detriment. However, there were many conglomerate combinations. In some cases, even the Government encouraged M&A, especially for sick units.\footnote{Available at http://shodhganga.inflibnet.ac.in/bitstream/10603/1949/5/05_chapter%202.pdf (last accessed on 26/7/2017)}

Certain historic Mergers/amalgamations did take place which are worthy of mention. Bank of Hindustan, set up in the year 1870, was the earliest Indian Bank. Banking in India on modern lines started with the establishment of three presidency banks under Presidency Bank's act of the year 1876 i.e. Bank of Calcutta, Bank of Bombay and Bank of Madras. In the year 1921, all presidency banks were amalgamated to form the Imperial Bank of India. Life Insurance Corporation (LIC) of India was incorporated in the year 1956 with the amalgamation of over 200 insurance companies and provident societies. Previously, it was known as Oriental Life Insurance Company. The company was the first to offer life coverage in India. There was a similar development in the general insurance business. The National Textiles Corporation (NTC) took over a large number of sick textiles units. In the year 1950, the Goenka Group acquired two British trading houses namely the Duncan Brothers and Octavius Steel. They also had some successful acquisitions in the areas of tea, automobiles, tyres, jute, electric cables and cotton textiles. The functional importance of
M&As is undergoing a sea change since liberalisation in India. The MRTP Act and other legislations have been amended paving way for large business groups and foreign companies to resort to the M&A route for growth. Further The SEBI (Substantial Acquisition of Shares and Take over) Regulations, of the years 1994 and 1997, have been notified. The decision of the Government to allow companies to buy back their shares through the promulgation of buy back ordinance, and other such developments, have influenced the market for corporate control in India. M&As, as strategies were employed by several corporate groups like R.P. Goenka, Vijay Mallya and Manu Chhabria for growth and expansion of their empires in India in the eighties. Some of the companies taken over by RPG group included Dunlop, Ceat, Philips Carbon Black and Gramaphone India. The first of the acquisitions was CEAT Tyres of India in the year 1981. The group then went on to acquire KEC (1982); Searle India, now RPG Life Sciences (1983); Dunlop (1984); Gramophone Company of India Ltd, now 15 Saregama India (1986); and finally CESC, Harrisons Malayalam, Spencer & Co. and ICIL, all in 1989. Vijay Mallya’s United Breweries (UB) group was straddled mostly by M&As. Further, in the post liberalization period, the giant Hindustan Lever Limited has employed M&A as an important growth strategy. The Ajay Piramal group has almost entirely been built up by M&As. The south based, Murugappa group built an empire by employing M&A as a strategy. Some of the companies acquired by Murugappa group includes, EID Parry, Coromondol Fertilizers, Bharat Pulverising Mills, Sterling Abrasives, Cut Fast Abrasives etc. Other companies and groups whose growth has been contributed by M&As include Ranbaxy Laboratories Limited and Sun Pharmaceuticals Industries particularly during the latter half of the 1990s. During this decade, there had been a plethora of M&As happening in every sector of Indian economy. Even, the known and big industrial houses of India, like Reliance Group, Tata Group and Birla group have engaged in several big deals.⁶

REGULATORY FRAMEWORK

In recent years, India has seen a manifold growth in mergers and amalgamations, largely encouraged by liberalization measures, which have substantially relaxed restrictions on international mergers and amalgamation transactions. The opening up the Indian economy and the

⁶ Available at http://shodhganga.inflibnet.ac.in/bitstream/10603/93167/7/07_chapter%202.pdf (last accessed on 26/7/2017)
government’s decision to disinvest has made corporate restructuring more relevant to acquisitions are being made so on. It may reasonably be stated that the quantum of mergers and acquisitions in the last few years must be more than the corresponding quantum in the four and a half decades post-independence.

**COMPANY LAW**

Sections 230 to 240 of Companies Act 2013 govern mergers and schemes of arrangements between a company, its shareholders and/or its creditors. It is to be noted that the provisions of Companies Act 2013 recently been notified and hence before this it was governed under section 390 to 394 of old Companies Act. The currently applicable Merger Provisions are in fact worded so widely, that they would provide for and regulate all kinds of corporate restructuring that a company can possibly undertake, such as mergers, amalgamations, demergers, spin-off/hive off, and every other compromise, settlement, agreement or arrangement between a company and its members and/or its creditors.\(^7\)

**TAKEOVER CODE**

The Securities and Exchange Board of India (the “SEBI”) is the nodal authority regulating entities that are listed and to be listed on stock exchanges in India. The Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 2011 (the “Takeover Code”) restricts and regulates the acquisition of shares, voting rights and control in listed companies. Acquisition of shares or voting rights of a listed company, entitling the acquirer to exercise 25% or more of the voting rights in the target company or acquisition of control obligates the acquirer to make an offer to the remaining shareholders of the target company. The offer must be to further acquire at least 26% of the voting capital of the company. However, this obligation is subject to the exemptions provided under the Takeover Code. Exemptions from open offer requirement under the Takeover Code inter alia include acquisition pursuant to a scheme of arrangement approved by the Court.\(^8\)

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\(^7\) G.K. Kapoor, Company Law and Practice, Taxman Publication.

\(^8\) Mergers & Acquisition in India, Report by Nishith Desai.
LISTING REGULATIONS

Prior to December 1, 2015, the listing agreement entered into by a company for the purpose of listing its shares with a stock exchange prescribed certain conditions for the listed companies which they have to follow in the case of a Court approved scheme of merger/amalgamation/reconstruction. However, on September 2, 2015, the SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015 (Listing Regulations) were notified and has been effective from December 1, 2015. The Listing Regulations provide for a comprehensive framework governing various types of listed securities under the Listing Regulations, SEBI has altered the conditions for the listed companies which they have to follow in the case if a Court approved scheme of merger/amalgamation/reconstruction has been altered.9

SEBI (Issue of Capital and Disclosure Requirement)

If the acquisition of an Indian listed company involves the issue of new equity shares or securities convertible into equity shares (Specified Securities) by the target to the acquirer, the provisions of Chapter VII (Preferential Allotment Regulations) contained in ICDR Regulations will apply

COMPETITION LAW

The Competition Act, 2002 (Competition Act) replaced the Monopolies and Restrictive Trade Practices Act, 1969, and takes a new look at competition altogether. The Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Regulations, 2011 (Combination Regulations) govern the manner in which the Competition Commission of India (CCI) will regulate combinations which have caused or are likely to cause an appreciable adverse effect on competition (AAEC) in India.

IMPACT OF M&A ON VARIOUS STAKEHOLDERS

- Shareholders: Shareholders of Acquired firm, the shareholders of acquired firm benefit the most. The reason being, it is seen in majority of the cases that the acquiring company usually pays a little excess than what it should. As the saying goes, unless a man lives in a

house he recently bought, he will not be able to know its drawbacks. So that the shareholders forego their shares, the company has to offer an amount more than the actual price, which is prevailing in the market. Buying a company at a higher price can actually prove to be beneficial for the local economy.

- Share holder of acquiring firm: The merger of two companies causes significant volatility in the stock price of the acquiring firm and that of the target firm. Shareholders of the acquiring firm usually experience a temporary drop in share value in the days preceding the merger, while shareholders of the target firm see a rise in share value during the period. The stock price of the newly merged company is expected to be higher than that of both the acquiring and target firms, and it is usually profitable for the target firm's shareholders, who benefit from the resulting stock price arbitrage. The shareholders of both companies may experience a dilution of voting power due to the increased number of shares released during the merger process. This phenomenon is prominent in stock-for-stock mergers, when the new company offers its shares in exchange for the shares of the target company albeit at an agreed conversion rate. Shareholders of the acquiring company experience a marginal loss of voting power, while shareholders of a smaller target company may see a significant erosion of their voting powers in the relatively larger pool of stakeholders.

- Impact on Employees: Merger and Acquisitions have profound impact employment in all sectors of the economy. M&A invariably result in decline in the number of branches and thus leads to staff retrenchments. Consequently, mergers often lead to higher workloads being placed on remaining staff, with companies requiring flexibility in terms of working hours, mobility and skills, excellent and highly motivated employees of the merged entity may feel frustrated and may resign or they may not give their best to the organisation.

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10 Corporate restructuring Mergers, Acquisitions and other forms, Himalaya Publishing House, first EDITION 2009, PAGE NO. 266.
the merged entity may feel frustrated and may resign or they may not give their best to the organisation.

- Impact on organisational culture: As organisation culture is the part of employee’s identity, if the cultural issues are not effectively addressed, it may lead to loss of commitment among employees resulting in lost opportunities to retain qualified personnel and motivate individuals. A merger deal, which may appear to be perfectly sound from financial point of view, may fail miserably if cultural and human issues are not properly addressed in the newly created entity. Merger of New Bank of India with Punjab National Bank is a classic case of cultural differences on account of which the merged entity suffered a lot immediately following the merger.\footnote{Corporate Restructuring Valuation and Insolvency, Professional Module, ICSI.}

- Impact on Public: It is learnt that SBI never thought of merging its associates with itself because each of the associate banks has its own regional flavour, a clientele with which it is more comfortable after having nurtured it over many years, and there enjoys a niche presence. if the regional banks, for instance, State bank of Travancore, or State Bank of Indore, or State bank Mysore, is merged into a single giant entity it may affect the regional subsidiary and also the parent bank. Some of these banks have strong local or regional flavour to their operations that could get eroded if they were to merge with the parent.

- Impact on Top Level Management: Impact of mergers and acquisitions on top level management may actually involve a “clash of the egos”. There might be variations in the cultures of the two organizations. Under the new set up the manager may be asked to implement such policies or strategies, which may not be quite approved by him. When such a situation arises, the main focus of the organization gets diverted and executives become busy either settling matters among themselves or moving on. If however, the manager is well equipped with a degree or has sufficient qualification, the migration to another company may not be troublesome at all.

ASPECTS OF M&A: MOTIVE BASIS

- Strategic M&A: Strategic acquirers are seeking a solution to a business problem through the acquisition of another company, either as a subsidiary or to be absorbed into the
acquiring company. Increasing market share by acquiring a competitor is one strategic reason. Others include adding a new product line or service capability, adding expertise, facilities or other assets such as a successful sales staff, or intellectual property such as patents and trademarks. Further a strategic acquirer may even be interested in acquiring the name and brand of the target company through a reverse merger. A reverse merger is when a private company acquires a public company so that it can avoid the process involved in launching an initial public offering (IPO). A strategic acquisition often is done with an exchange of stock if the acquiring company is much larger or trading on the public markets. Strategic merger between two private companies would be more likely a cash buyout of the previous owner.¹²

- Financial M&A: Financial acquirers are private equity firms or other financially oriented investors. They seek companies that have large cash positions, extensive assets or particularly attractive prospects. Their goals involve investment returns, rather than solving a business need or growing their company. Berkshire Hathaway, a holding company owned by Warren Buffett, is an example of a financial acquirer. Carl Icahn, known for his leveraged buyouts, restructurings and spinoffs of acquired companies, is also an example of a financial acquirer. Further a financial acquirer generally acquires their targets through leveraged buyouts. This is when they use the cash and assets of the target to finance a bid to buy a controlling interest in the stock through a tender offer to shareholders. These are how hostile takeovers are conducted. However, such a process can also be used in a friendly buyout of the owners of the target company. Financial acquisitions often involve extensive reorganization of the target, resulting in the sale or spinoff of divisions and subsidiaries. Proceeds from asset sales and the eventual public offering, in which the acquirer divests interests in the target, provide the investment return the financial acquirer seeks.¹³

**MERGERS & ACQUISITIONS IN INDIA- A RISING TREND**

It is significant to note that this monument shift of Indian Industrial Approach towards collaboration is just a decade old phenomenon. Various regulatory and sectoral reforms in the

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¹² Available at http://shodhganga.inflibnet.ac.in/bitstream/10603/1949/5/05_chapter%202.pdf (last accessed on 26/12/2017)
¹³ *Ibid*
names of Companies Act 2013, SEBI Takeover Code 2011 and various other regulations have boosted the trend of mergers and acquisitions in Indian markets. Before M&A was looked upon as a tool of last resort in order to survive. However, now the perception has altogether changed and companies look upon it as an opportunity to diversify their businesses and increase the market share and to take competitive advantages over the market players by joining hands. Sector wise, large volumes of mergers and mergers and acquisitions in India have occurred in finance, telecom, FMCG, construction materials, auto motives and metals. Over the past one decade finance topped the list with 20% of total value of mergers and acquisitions in India taking place in this sector. Telecom accounted for 16%, while FMCG and construction materials accounted for 13% and 10% respectively. In the banking sector, important mergers and acquisitions in India in recent years include the merger between IDBI (Industrial Development bank of India) and its own subsidiary IDBI Bank. Another important merger was that between Centurion Bank and Bank of Punjab, this merger led to the creation of the Centurion Bank of Punjab with 235 branches in different regions of India. In the telecom sector, an increase of stakes by SingTel from 26.96 % to 32.8 % in Bharti Telecom was worth $252 million (Rs. 10.9 billion in Indian currency).  

Acquisitions and mergers are strategic moves by companies foreseeing scope for business expansion. Big organizations acquire small ones to strengthen their existing assets or to quickly fill the loopholes; instead they do it themselves from the scratch. On the other hand, two big companies merge primarily to achieve the monopoly over the industry. Below are the acquisitions and mergers happened in the technology space in India in 2017  

TOP LISTED MERGER AND ACQUISITION IN INDIA IN RECENT TIMES:

- **Flipkart’s acquisition of e-Bay India:** In April 2017, Indian e-commerce giant Flipkart acquired the Indian wing of eBay, which infused $500 million into Flipkart as well as sold its Indian operations unit for an exchange of equity stake in Flipkart. As Flipkart doesn’t have the global presence, the acquisition will bolster the cross border trade and

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14 Corporate Restructuring, Sangeet Kedia, Pooja Law Publishing Co.
15 Available at http://shodhganga.inflibnet.ac.in/bitstream/10603/45734/9/09_chapter%201.pdf (last accessed on 26/12/2017)
help Flipkart to combat Amazon’s onslaught. Moreover, the acquisition may bring new investments in future for Flipkart from the parent company eBay.16

- **Axis Bank’s acquisition of Freecharge**: Axis Bank is one of the few tech savvy banks in India. It has been embracing technology to ease the banking. It acquired Accelyst Solutions Private Limited and Freecharge Payment Technologies Private Limited for $60 million. The acquisition will pave a way for its foray into proliferating digital payments space in the country. It will get access to huge customer base along with highly sophisticated technology, which is otherwise very difficult to develop on its own. Being an organization with deep pockets, Axis Bank may further pump cash into FreeCharge to take the fight against the likes of Paytm, Mobikwik, etc.

- **Vodafone-Idea Merger**: The high profile merger was announced at a time when the new entrant Reliance Jio started disrupting the Indian telecom industry. The combined entity with Kumar Mangalam Birla as chairman is going to be the largest telecommunications service provider in the country with about 400 million customers, 35 percent customer market share, and 41 percent revenue market share. In the initial phase, Vodafone owns the major stake in the combined entity with 45.1% stake after which it will transfer 4.9 percent stake to Aditya Birla Group in exchange to Rs 3874 crores to complete the deal. Consequently, Aditya Birla Group will own 26 percent stake with an allowance to buy shares from Vodafone under stipulated agreement. With the combined infrastructure, technology, intangible assets, etc., the company will take the fight against Bharti Airtel and Reliance Jio.17

- **Google’s acquisition of Halli Labs**: Based in Bangalore, Halli Labs develops solutions to traditional problems using Artificial Intelligence (AI), Machine Learning (ML), and deep learning technologies. Google acquired this 4-month old startup for an undisclosed amount in June 2017. The company joined Next Billion Users team at Google with its CEO becoming Director of Engineering. The acquisition is a testimony to how big companies look beyond horizons to acquire talent.18

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16 gadgetstouse.com/featured/india-mergers-acquisitions-2017/62390
17 Ibid
18 Ibid
• **Airtel Telenor Merger:** Airtel which is under immense pressure due to losing customers and falling revenues is trying hard to regain its lost ground. The merger with Telenor India will give initial thrust to the company in the fight against Reliance Jio and Vodafone-Idea. Airtel is buying Telenor India’s operations in Andhra Pradesh, Bihar, Maharashtra, Gujarat, UP (East), UP (West) and Assam circles, which contribute about 35% to Airtel’s total revenue. It will also increase the company’s 4G spectrum holdings. The merger recently got approval from Competition Commission of India (CCI) and Securities & Exchange Board of India (SEBI).\(^\text{19}\)

**WHY DO MERGERS & ACQUISITIONS OFTEN FAIL**

• Misgauging Strategic Fit: If the acquisition is too far outside the parent company’s core competency, things aren’t likely to work. A company that sells to its business customers chiefly through catalog and Internet sales ought to be very cautious about acquiring a company that relies on direct sales – even if the products are, broadly-speaking, in the same industry. Similarly, a company whose traditional strength lies in selling products to businesses might want to think twice before making a foray into a consumer-oriented business. An honest strategy audit up-front would tell not to stray beyond the core competencies, and ask whether the target company fits your strategy, your operations, and your distribution channels.\(^\text{20}\)

• Deal Structure: We all understand that if the acquiring company pays too much in an auction environment, it’s going to be tough to get the acquisition to show a positive ROI. To protect themselves, some acquiring companies like to structure acquisitions with half or more of the purchase price held back based on achievement of future performance hurdles. But watch out: such earn-outs can backfire on the acquiring company in unexpected ways. If, for instance, a major payment milestone is based on post-acquisition sales performance but 99 percent of the sales people are working for the parent company – and therefore are neither aware of nor incentivized by the sales milestones – then the

\(^\text{19}\) Ibid
\(^\text{20}\) Mergers and Acquisitions: The Evolving Indian Landscape, Pwc India.
acquired company employees may well feel demoralized due to having scant control over achieving major payment milestones.\textsuperscript{21}

- Cultural Differences: Just because your two companies are in the same industry doesn’t mean you’ve got the same culture. Cultural difference has been touted to be the major reason as to why M&As fail frequently. There can be serious problems with an acquisition if the corporate culture of the acquirer is of the command-and-control variety and the target company practices localized responsibility. The typical result is a large initial surge in employee turnover. If the reverse situation arises, employees of the target company will not be used to having responsibility thrust upon them, which can result in a prolonged period of confusion, reduced operating results, and employee turnover. In short, it is difficult to mix these two extreme forms of corporate culture, and so the due diligence team should estimate the impact of the acquirer’s culture on the target company.\textsuperscript{22}

- Poor Communication: All too often, there is too much emphasis on getting the deal done and too little on proper communication between the two companies, especially with the rank and file in both companies. It is natural for employees to feel threatened by the business combination, especially if it is an acquisition and they work for the target company. Communications from day one of the process can go a long way towards facilitating a smoother transition and towards a successful execution of the post-merger business strategy. The chances for success are further hampered if the corporate cultures of the companies are very different. When a company is acquired, the decision is typically based on product or market synergies, but cultural differences are often ignored. It's a mistake to assume that personnel issues are easily overcome. For example, employees at a target company might be accustomed to easy access to top management, flexible work schedules or even a relaxed dress code. These aspects of a working environment may not seem

\textsuperscript{21} Ibid
\textsuperscript{22} https://www.accountingtools.com/articles/2017/5/4/cultural-issues-in-a-merger
significant, but if new management removes them, the result can be resentment and shrinking productivity.

Businesses whether operating on large scale or small scale, desirous of potential benefits from merger and acquisition, cannot get a fool-proof checklist to ensure success from M&A deals. Success rate of M&A deals continues to remain low. Majority of the M&A deals result in failure due to above discussed factors. Business owners, advisors and associated participants should be vigilant about the possible pitfalls, avoiding maximum ones, to get a secure and successful M&A deal.\(^{23}\)

\(^{23}\) Mergers and Acquisitions in India, AJSH & Co., Chartered Accountants (www.ajsh.in).