


Name:			
Enrolment No:			
UPES End Semester Examination, May 2023			
Course: Introduction of Taxation Law & Policy Program: BA LL.B/BBA LL.B/B.COM LL.B (TL) Course Code: CLTX 3003		Semester : VI Time : 03 hrs. Max. Marks: 100	
Instructions: All questions are compulsory. Read the questions carefully. No word limit.			
SECTION A (5Qx2M=10Marks) One word type question/multiple choice question			
S. No.		Marks	CO
Q 1.	Due basis v. Receipt basis	2	CO1
Q 2.	Define the concept “ <i>produce fit to be taken to market</i> ”.	2	CO1
Q 3.	Define two expenses which are not allowed as deduction under Income from other sources?	2	CO1
Q 4.	Define Base erosion Profit Shifting.	2	CO1
Q 5.	GST Council was formed under Article _____ of the Constitution of India, 1950. a) Article 249A b) Article 259A c) Article 269A d) Article 279A	2	CO1
SECTION B (4Qx5M= 20 Marks) Short answer type questions			
Q 6.	Discuss whether prize money received by a participant in a game requiring skill and endurance can be termed as income?	5	CO2
Q 7.	Differentiate between application of income and diversion of income?	5	CO2
Q 8.	Explain the tax Treatment of Income of the Spouse?	5	CO2
Q 9.	Discuss the steps of set off and carry forward?	5	CO2

SECTION-C (2Qx10M=20 Marks) Long answer type questions			
Q 10.	<p><i>When a tenant fails to pay the rent to the owner, the amount of such rent may not be included in the total income of the owner.</i></p> <p>Analyse the computation of annual value and discuss the tax treatment of the above unpaid rent.</p>	10	CO3
Q 11.	<p>Explain the definitions of capital asset and transfer? Also discuss the amendment that was introduced by the government in the definitions after the case of <i>Vodafone International Holdings B.V. vs Union of India & Anr. (2012)</i>.</p>	10	CO3
SECTION-D (2Qx25M=50 Marks) Case study-based questions Attempt any Two			
Q 12.	<p>Disney is a Private Limited Company engaged in the production of films. Its director, Mr. John incurred expenses of Rs.10 Lakh in the promotion of a movie Captain America. The Company also incurred expenses of Rs.5 Lakh in Corporate Social Responsibility and claimed deduction of Rs.15 Lakh while computing his taxable income.</p> <p>a) Analyze whether the said amount (Rs.15 Lakh) can be claimed as a deduction by the company? Support your answer with the help of relevant case law. (15 marks)</p> <p>b) Discuss various deductions/ expenditure allowed in respect of income under the head Profits and Gains from Business and Profession? (10 marks)</p>	25	CO4
Q 13.	<p>Reliable group has three companies namely M/S P Ltd., M/S Q Ltd. and M/S R Ltd., as group companies and M/S Reliable Ltd. is a parent company. M/S. Reliable Ltd. holds 25% of the shares in each group company.</p> <p>M/S. Reliable Ltd. entered into a contract with M/S P Ltd. for the purchase of raw materials. The price per kg of raw material was decided at Rs100 Per kg. Had M/S Reliable Ltd., purchased the raw material from other vendors supplying the same raw material located in India, they would have got the raw material at a price of Rs.70 per kg.</p> <p>a) Discuss the provisions on Associated Enterprises with regards to transfer pricing? (10 marks)</p>		

	<p>b) Discuss the applicability of Arm's Length Principle under International Taxation? Refer the case laws (15 marks)</p> <p style="text-align: center;">Or,</p> <p><i>Under GST, Supply is considered a taxable event for charging tax. The liability to pay tax arises at the 'time of supply of goods or services'. Thus, determining whether or not a transaction falls under the meaning of supply, is important to decide GST's applicability.</i></p> <p>Discuss the definition of scope of supply? (5 marks)</p> <p>Identify whether the following activities will be covered within the scope of supply? (5 marks each)</p> <ul style="list-style-type: none"> a) Actionable Claims Actionable claims, other than lottery, betting and gambling. b) Service of funeral. c) ABC Manufacturers have a factory in Kolkata and a depot in Mumbai. Both these establishments are registered in respective States. Finished goods are sent from the factory in Kolkata to the Mumbai depot without consideration so that the same can be sold. d) Supply of alcoholic liquor for human consumption. 	25	CO4
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