

<b>Name:</b>	
<b>Enrolment No:</b>	

**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**  
**End Semester Examination, December, 2021**

**Course: Taxation Law CLCC4001**  
**Programme: BBA.LLB.CL/BIFL/ITIL & B COM LLB TL**  
**Max. Marks: 100**

**Semester: V**  
**Time: 03 hrs.**

**Instructions: Read all questions carefully and answer. Cite suitable legal provisions, case laws, amendments and illustrations wherever required.**

**SECTION A**  
**(10 Marks)**

S. No.		Marks	CO
	Attempt all questions. All questions carry equal marks. (2 marks each) Write a short note on following:	<b>10</b>	
Q 1	Progressive tax and Regressive tax	<b>2</b>	<b>1</b>
Q 2	Input Tax Credit	<b>2</b>	<b>1</b>
Q 3	Tax Havens	<b>2</b>	<b>1</b>
Q 4	TDS	<b>2</b>	<b>1</b>
Q 5	Anti-dumping duty	<b>2</b>	<b>1</b>

**SECTION B**  
**(20 Marks)**

	Attempt all questions. All questions carry equal marks. (5 marks each) Write a short note on following:	<b>20</b>	
Q 6	Income from Other Sources	<b>5</b>	<b>1,2</b>
Q 7	Constitutional basis of taxes in India	<b>5</b>	<b>1,2</b>
Q 8	Carry forward and set off	<b>5</b>	<b>2</b>
Q 9	Annual Value	<b>5</b>	<b>2</b>

**SECTION-C**  
**(20 Marks)**

	<b>Attempt both questions. All questions carry equal marks. (10 marks each)</b>	<b>20</b>	<b>CO</b>
Q 10	State the prerequisites of the income under head salary. Also, state the difference between the terms prerequisite and allowances. Support your answer with relevant illustrations and cases (if any).	<b>10</b>	<b>3</b>

Q 11	<p>What is scope of supply? What are essential ingredients of a supply under GST and its taxability? Identify whether following activities will be covered within the scope of supply?</p> <p>a. Supply of software in a CD Drive or pen drive</p> <p>b. Actionable Claims</p> <p>c. Supply of Goods from an Agent to Principal or vice versa</p>	10	3
<b>SECTION-D</b>			
<b>(50 Marks)</b>			
	<b>Attempt any two questions. All questions carry equal marks. (25 marks each)</b>	50	
Q 12	<p>Section 10(1) exempts Agricultural income from income tax. In order to claim exemption one has to prove that income is covered within the meaning of term "Agricultural income". In light of above statement define agricultural income and explain with the help of decided cases the nature of following income:</p> <p>a. Sale of Silk Cocoon reared on mulberry leaves</p> <p>b. Sale of Standing Crops</p>	25	2,3
Q 13	<p>What are various deductions/ expenditure allowed in respect of income under the head Profits and Gains from Business and Profession? XYZ is a private Limited Company engaged in the manufacturing and sale of tobacco. Its director Mr. Ram was kidnapped and an amount of Rs. 20 Lacs was demanded against his release. Determine, whether the said amount can be claimed as a deduction by the company? Support your answer with a relevant case law.</p>	25	3
Q 14	<p>The residential status of every assessee for the purposes of taxation must be determined with reference to each year. However, if a person is resident in India in a previous year relevant to an assessment year in respect of any source of income, he shall be deemed to be resident in India in the previous year relevant to the assessment year in respect of each of his other sources of income. What are the tests to determine residential status of:</p> <p>a. an individual</p> <p>b. HUF</p> <p>Cite relevant case laws (if any)</p>	25	2.3