


Name:			
Enrolment No:			
<b>UPES</b> <b>End Semester Examination, December 2023</b>			
<b>Course: Taxation Laws</b> <b>Program: BA LL.B/BBA LL.B/B.COM (CL/EL/IPR/CNTL/CRL/TL)</b> <b>Course Code: CLCC 4001</b>		<b>Semester: VII</b> <b>Time : 03 hrs.</b> <b>Max. Marks: 100</b>	
<b>Instructions: Read the questions carefully. No word limit.</b>			
<b>SECTION A</b> <b>(5Qx2M=10Marks)</b> <b>Short answer type questions</b>			
S. No.		Marks	CO
Q 1	Define Due basis and Receipt basis?	2	CO1
Q 2	Rental income received by a tenant from sub-letting is also charged to tax under the head “Income from House Property”. (True/False)	2	CO1
Q 3	Define Cascading effect?	2	CO1
Q 4	Determine the Special Category States in which the turnover limit for Composition Levy for Central tax and State tax purpose shall be Rs. 75 lakhs?	2	CO1
Q 5	Define Tax Haven?	2	CO1
<b>SECTION B</b> <b>(4Qx5M= 20 Marks)</b> <b>Short answer type questions</b>			
Q 6	Explain the conditions required to be satisfied by an individual to be a Resident but non-ordinarily resident?	5	CO2
Q 7	Explain the tax treatment of an Unrealized Rent under the head House Property?	5	CO2
Q 8	Discuss the taxability of pension received by family members of a deceased assessee?	5	CO2

Q 9	Discuss whether the income received by minor child of an individual be clubbed with his/her income? Also discuss its exception.	5	CO2
<b>SECTION-C</b> <b>(2Qx10M=20 Marks)</b> <b>Long answer type questions</b>			
Q 10	<p>X is employed by ABC Pvt. Ltd. He receives basic salary and dearness allowance of Rs. 45,000/- p.m. and Rs. 5,000/- p.m., respectively. ABC Pvt. Ltd. has provided Mr. X with a rent-free furnished house at Ahmedabad. Lease rent of the house paid by ABC Ltd. to D Pvt. Ltd. is Rs. 8,500 p.m. and rent of furniture is Rs. 800/- p.m. Mr. X occupies the house for a period of 6 months.</p> <p>Discuss the valuation of this rent-free furnished accommodation as a perquisite in the hands of Mr. X, the assessee.</p>	10	CO3
Q 11	<p><i>Customs duties are levied on the goods imported into, or exported from, India at the rates specified in the schedules to the Customs Tariff Act, 1975.</i></p> <p>Discuss the taxable event for the levy of Customs Duty and the types of customs duties under the Customs Act, 1962.</p>	10	CO3
<b>SECTION-D</b> <b>(2Qx25M=50 Marks)</b> <b>Case study-based questions</b>			
Q 12	<p>The assessee, Mr. X engaged an employee, Mr. Y for the purposes of carrying on his business and conferred on him large powers of management including authority to operate on bank accounts. While acting under such authority the Mr. Y withdrew moneys from the bank and used them for the discharge of his personal debts. The assessee was able to recover from the employee only a part of the amount misappropriated by him, and the balance had to be written off at the end of the accounting year as irrecoverable.</p> <p>1) Analyse whether the amount misappropriated/embezzled and found irrecoverable was allowable as a deduction under the Income-tax Act, 1961 in determining the profits of the assessee. <b>(10 marks)</b></p> <p>2) Also, discuss various deductions allowed and disallowed under the head Income from 'Profits and Gains of Business or Profession' along with relevant provisions and case laws. <b>(15 marks)</b></p>	25	CO4

<p>Q 13</p>	<p>ABC Ltd. (a UK based company) procured 100% shares in PQR Ltd. (a Mauritius base company) via a multinational group company, Wakanda PLC. Later, PQR Ltd. held 60% in XYZ Ltd. (an Indian company), and also a subsidiary company of ABC Ltd.</p> <p>PQR Ltd. sold its shares undervalued to ABC Ltd. which amounted to the transfer of Wakanda's interest from XYZ Ltd. (subsidiary company) to ABC Ltd. (parent company).</p> <p>In the light of the above facts</p> <ol style="list-style-type: none"> <li>1) Analyse whether the sale of shares from PQR Ltd. to ABC Ltd. will fall under the definition of Associated Enterprises and Arm's Length Principle as per the provisions of Income Tax Act, 1961? Refer the relevant case laws. <b>(15 marks)</b></li> <li>2) Discuss the amendments brought by Finance Act, 2012 having a retrospective effect? <b>(10 marks)</b></li> </ol> <p style="text-align: center;">Or</p> <p>Examine whether the following transaction would amount to supply under Section 7 of the CGST Act, 2017: <b>(15 marks)</b></p> <ol style="list-style-type: none"> <li>a) Rahul is an architect in Chennai. His brother, who is settled in London, is a well-known lawyer. Rahul has taken legal advice from him free of cost with regards to his family dispute.</li> <li>b) X of Delhi deals in Electronic Goods. He transfers the title of a television set for an agreed consideration to Y of Delhi in August 2022.</li> <li>c) X, the principal supplies certain goods to Y, his agent. Y undertakes to supply such goods further on behalf of X.</li> <li>d) Services by any court or tribunal established under any law for the time being in force.</li> <li>e) A is the owner of a specific piece of land in Indore. He leases the same to Y for one year for an agreed consideration in January 2023.</li> </ol> <p>In the above context, also discuss the definition and scope of Supply under Section 7 of CGST Act, 2017. <b>(10 Marks)</b></p>	<p><b>25</b></p>	<p><b>CO4</b></p>
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