

Name:	
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, May 2019

Course: Taxation Law CC: LLBL443
Programme: B.B.A.LL.B. (Corporate Laws)
Time: 03 hrs.
Course Code: LLBL443
Instructions:

Semester: VIII

Max. Marks: 100

SECTION A

S. No.		Marks	CO
	Attempt all questions. (2 marks each)	10	
Q 1	In which year GST was introduced in India?	2	1
Q 2	How much percentage of income tax is applicable to agricultural income form land situated in India?	2	2
Q 3	On what basis income tax is applied to income from salary; accrual or receipt basis.	2	1
Q 4	What is the definition of 'service' according to Indian GST law?	2	3
Q 5	How much percentage of GST is applicable to food in restaurants?	2	2

SECTION B

	Attempt any two question. All questions carry equal marks. (10 marks each)	20	
Q 6	Write a detailed critique on transfer pricing. Why it is an important concept under taxation law?	10	4
Q 7	State what is DTAA? Discuss in detail with examples.	10	4
Q 8	Investigate how composition scheme under GST affects business entities and customers?	10	2

SECTION-C

	Attempt any two questions. All questions carry equal marks. (10 marks each)	20	
Q 9	Describe difference between Tax Evasion and tax planning?	10	4
Q 10	Write a detailed note locating place of 'valuation' under custom tax regime.	10	2
Q 11	Describe in detail composition and working of GST council.	10	1

SECTION-D

	Attempt any two question. All questions carry equal marks. (25 marks each)	50	
Q 12	Dr. Chatur Lingam transferred large number of his long term bonds in the name of his fiancée Ms. Aishwarya Boparai, on 15 January 2018. On 26th January 2018 he married	25	2

	<p>his fiancée. After marriage Mrs. Aishwarya Boparai changed her surname and became Mrs. Aishwarya Chatur Lingam. In October, 2018 Mrs. Lingam received Rs1565000/- as interest on those bonds. Assessing Officer clubbed this income of Mrs. Lingam with the income of Dr. Chatur. Against this decision Dr. Chatur Lingam has lost his appeals in CIT Appeal and also in ITAT. Kindly apprise him in detail about the clubbing provisions of Income Tax Act, 1961 and important judicial precedents. Tell him his chances of winning in High Court based on relevant case laws.</p>		
Q 13	<p>Discuss in detail legal provisions regarding input service distributor. In which circumstances he can distribute the input tax credit availed by him for common input services.</p>	25	3
Q 14	<p>Mr. Videshi Lal an NRI, is running a profit making enterprise in London. He has one business firm in India also. Mr. Videshi Lal has visited India several times in 2016-17, for performing some business activities in his Indian firm. He used to give broad business direction to his Manager Mr. Blanco White in London. Assessing officer while assessing his income from Indian firm has clubbed his profits from London firm also for the relevant year. Discuss the situation in detail referring to all rules regarding residential status and their impact on the income tax liabilities. Also give examples from relevant case laws.</p>	25	3