

Name:

Enrolment No:



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

Course: GST I (Central) (Hons 2)
Program: B.COM. LLB. (Hons.) Taxation Laws 2016
Course Code: LLBL 482

Semester: VII
Time: 03 hrs.
Max. Marks: 100

Instructions: Read all questions carefully. Calculators with 12 digits function are allowed.

SECTION A

| S. No. | | Marks | CO |
|--------|--|-------|------|
| Q1. | Answer the following: (Attempt all): | | |
| a. | Define Goods as per GST | 2 | CO 1 |
| b. | Constitution of India is the foundation and source of powers to legislate all laws in India. The authority to levy a tax is derived from the Constitution of India which allocates the power to levy various taxes between the Central and the State. Justify with suitable constitutional provisions. | 2 | CO 1 |
| c. | What type of GST has been implemented in India? | 2 | CO 1 |
| d. | What will be status of Tobacco and Tobacco products under the GST regime? | 2 | CO 1 |
| e. | Define Taxable Supply | 2 | CO 1 |

SECTION B

Answer the following: (Attempt all)

| | | | |
|-----|---|----|------|
| Q2. | The value of a supply of goods or services or both shall be the transaction value, which is the price actually paid or payable for the said supply of goods or services or both where the supplier and the recipient of the supply are not related, and the price is the sole consideration for the supply. What are the amounts to be added and excluded from transaction value? How is the value determined, where it cannot be determined as stated above? Discuss with the help of legal provisions applicable. | 10 | CO 1 |
| Q3. | What is the importance and relevance of Place of Supply (POS) under IGST? How is POS determined in following cases? Explain with suitable illustrations: a. Where the goods are supplied on board a conveyance | 10 | CO 3 |

- b. Where the goods are delivered by the supplier to a recipient or any other person on the direction of a third person
- c. Services by way of lodging accommodation by a hotel, inn, guest house, home stay
- d. Services provided by way of organisation of a cultural, artistic, sporting, scientific, educational or entertainment event including supply of services in relation to a conference, fair, exhibition, celebration or similar events.

SECTION-C

Answer the following: (Attempt all)

- Q4. The term supply is not defined under GST however, scope of supply is defined. What is scope of Supply? What are the essentials to characterize a transaction as supply? In light of this, determine if following will be covered within the scope of supply (Cite the relevant legal principle in support of your answer along with illustrations):
- a. Big Ltd. provides management technical services without consideration to Small Ltd in which Big Ltd. has controlling rights. These technical services have been provided for benefit of entire group. Does it qualify as a supply? **10** **CO 3**
 - b. UPES makes gifts to an employee worth Rs 75000 during Diwali. Does it qualify as a supply? Would your answer be different if gifts worth Rs 45000 are given instead of Rs 75000?
- Q5. Forward Ltd. is a manufacturing concern in Gujarat. In Financial Year 2017-18 Forward Ltd. made following supplies:
1. Intra State Supplies made under forward charge - 36 Lacs
 2. Inter State Supplies made which are chargeable to GST at Nil rate - 48 Lacs
 3. Intra state Supplies which are wholly exempt under section 11 of CGST Act, 2017- 33 Lacs
 4. Value of inward supplies on which tax payable under RCM- 32 Lacs **10** **CO 2**

Briefly explain whether Forward Ltd. is eligible to opt for Composition scheme in Financial Year 2018-19. Would there be any difference if the value of inward supplies on which tax has been paid under RCM is 34 Lacs instead of 32 Lacs.

SECTION-D

Answer the following: (Attempt all)

- Q6. Registration is the most fundamental requirement for identification of tax payers ensuring tax compliance in the economy. What is advantage of taking registration in GST? Who is liable to be registered under GST? What are the cases where person irrespective of turnover threshold limit is mandatorily required to be registered? **10** **CO 3**

- Q7. What are the different types of returns which are required to be furnished under Section 37 and Section 38? What is the mechanism of matching of these returns? What is the mechanism adopted in case of mis-match of returns? **10 CO 3**
- Q8. a. What is cascading effect? How does Input Tax Credit reduce cascading effect? What are necessary conditions for availing Input tax credit under Section 16(2) and the Hierarchy of availing ITC of IGST, SGST and CGST? **15 CO 3**
 b. What are the conditions for distribution of credit by Input Service Distributor?
- Q9. Ms. Shreya visits a restaurant along with her friends on her birthday. Food menu of the restaurant mentions that prices of the dish are inclusive of GST @ 5%. Calculate the amount of tax if she orders the following items from menu which are subject to GST at uniform rate of 5%. Also compute the amount without GST.

| S. No. | Particulars | Qty | Price per qty (INR) |
|--------|----------------------|-----|---------------------|
| 1. | Fresh Lime Soda | 5 | 85 |
| 2. | Veg Tandoori platter | 2 | 450 |
| 3. | Veg Seekh Kabab | 1 | 325 |
| 4. | Dal Makhani | 1 | 210 |
| 5. | Pineapple Raita | 1 | 250 |
| 6. | Malai Kofta | 1 | 325 |
| 7. | Shahi Paneer | 1 | 275 |
| 8. | Veg Biryani | 1 | 250 |
| 9. | Steamed Rice | 1 | 200 |
| 10. | Assorted Breads | - | 200 |

15 CO 3