Total Pages-32 UG/II/D & IT/H/AH5/17(New)

2017

DIRECT AND INDIRECT TAX

[Honours]

PAPER - AH5

Full Marks: 90

Time: 4 hours

The figures in the right hand margin indicate marks

Candidates are required to give their answers in their

own words as far as practicable

Illustrate the answers wherever necessary

[NEW SYLLABUS]

(Direct Taxes)

- Answer any two questions :
 - (a) Mr. Roy, an Indian Citizen, left India for the purpose of employment in USA for the first time on 01.10.15. He returned to India on

 4×2

30.03.16 for visit and returned back to USA after staying 20 days in India. During the previous year'15-'16 he earned the following income:

- (i) Salary earned in USA ₹ 5,00,000 and credited to USA.
- (ii) Interest received in India from Fixed Deposit in Bank ₹ 1,20,000.

Determine the residential status and tax incidence in India for the A.Y 2016-'17. 2 + 2

- (b) State under which head the following incomes will be taxable: 1 x 4
 - (i) Tarun received ₹ 7,200 as interest on Fixed Deposit with SBI.
 - (ii) Akash received a gain of ₹ 35,000 on sale of shares held by him.
 - (iii) A received ₹ 2,700 as remuneration as an examiner from V.U.
 - (iv) B, a lawyer, earned an income of ₹ 1,45,000 from his profession.

(c) Mr. R. Bose is 60 years old and furnished the following information for the previous year 2015-'16. Compute his taxable income for the Assessment Year (A.Y) 2016-'17.

Income from growing and manufacturing tea ₹ 1,20,000 and that from rubber is ₹ 2,00,000.

(d) What is PAN? Mention any three transactions when quoting of PAN is mandatory under the Income Tax Act.

2. Answer any three questions:

 8×3

- (a) Ms Suparna Roy (age 46 yrs), a resident individual of India, furnished the following details of her income during the P.Y 2015-'16. Compute her total income and tax payable for the A.Y. 2016-'17.
 - (i) Gross salary ₹ 5,00,000 (Professional Tax paid ₹ 2,000)

- (ii) Income from business owned by her ₹ 2,00,000 and allowable expenses ₹ 1,20,000.
- (iii) Received family pension ₹ 10,000 pm w.e.f. 01.04. 2015.
- (iv) Long-term capital gain on sale of building ₹ 80,000.
- (ν) She received her share of income from HUF as member ₹ 40,000.
- (vi) She deposited to PPF ₹ 80,000 during the year.
- (vii) Donation to National Defence Fund ₹ 25,000.
- (viii) Paid premium on mediclaim insurance policy on own health by cheque ₹ 16,000.
- (b) (i) Mr. Sardar acquired an inherited property on 30.08.87 from his grandfather who purchased it at ₹ 2,10,000 on 30.06.81.
 The market value of the property as on

01.04.82 was ₹ 5,10,000. On 01.07.87 he purchased gold valued ₹ 1,50,000 the market value of which was ₹ 1,47,000 as on 01.04.87. He sold both the assets on 30.11.15 for ₹ 60,00,000 and ₹ 2,10,000 respectively. Calculate the amount of capital gain of Mr. Sardar for the A.Y 2016-'17.

(ii) Mr. Sinha furnished the following informations for the P.Y. 2015-'16:

Director's fees ₹ 22,000; Interest on Post office Savings Bank Deposit ₹ 700; Rent received from subletting a house ₹ 33,250; rent payable for the above house ₹ 19,000; Other expenses incurred in connection with the house amounted to ₹ 8,000; Dividend from a foreign company ₹ 2,500.

You are required to calculate income from other sources of Mr Sinha for the A.Y. 2016-'17.

(c) (i) From the following income calculate deduction allowable under section 80 GG and taxable income of Mr. Pradhan for the A.Y. 2016-'17:

	₹
Income from business	2,25,000
Interest on Bank Deposit	25,000
Deduction u/s 80D	15,000
Rent paid for his self-occupied house	3,750p.m.

(ii) Mr. X furnished the following information for the P.Y. 2015-'16:

	₹
Income from Business A (Speculative)	50,000
Loss from Business B (Speculative)	75,000
Income from Business C (Non-Speculative	40,000
Income from house property	20,000
Short term Capital gain	15,000
Long term Capital Loss	10,000
Brought forward loss from Business C	25,000
Brought forward loss from house	,
property	23,000
Compute total income and the lo	sses to be
carried forward.	4+4

- (d) (i) Discuss in brief the provision of Clubbing of income of a minor under the Income tax Act.
 - (ii) What is the time limit and conditions for submitting a belated return. 4+4
- (e) Write short notes on:
 - (i) 'Revised Return' and
 - (ii) 'Best Judgement assessment'.
- 3. Answer any two questions:
 - (a) From the following particulars, Compute the total income of Mr. Natasha for the A.Y. 2016-'17, who is working in a private firm: 15
 - (i) Basic pay as per scale 15000-1000-20000-1500-27500. She was appointed on 01.01.13.
 - (ii) D.A. @ 75% of Basic pay.
 - (iii) Car Allowance @ ₹ 1000 p.m. but she spent ₹ 800 p.m. for travelling for her official duties.

4 + 4

 15×2

- (iv) Medical Allowance @ 600 p.m. She spent only ₹ 5,000 for medical treatment of her family.
- (v) Entertainment Allowance @ 2700 p.m.
 but she spent ₹ 9,000 for entertainment
 of customers at office.
- (vi) Children education allowance @ ₹ 90 p.m. for each of her 3 children.
- (vii) She and her employer each contributed 14% of her basic salary to R.P.F. Interest credited to this fund @ 10% amounting to ₹ 19,000 in this year.
- (viii) H.R.A. received ₹ 24,000. She staysin a house at Kolkata paying rent② ₹ 3,000 p.m.
- (ix) Her employer pays the wages of sweeper @ ₹ 1,000 p.m. and cook @ ₹ 1,500 p.m.

- (x) Her employer also reimbursed gas bill of ₹ 3,000, electric bill of ₹ 6,000 during the year.
- (xi) She paid professional tax @ ₹ 130 p.m.
- bank interest of ₹ 10,000, dividend from an Indian Company ₹ 12,000 and dividend from a foreign company ₹ 8,000. She paid ₹ 15,000 as Mediclaim premium on the health of her spouse and children, paid LIC premium of ₹ 18,000 on her married daughter's life, donation ₹ 12,000 to Prime Minister's National Relief Fund and contributed ₹ 5,000 to local poor people.
- (b) From the following P/LA/c and other relevant information, compute income from Business of Ratanlal for the A.Y 2016-'17: 15

P/L A/c for the year ended 31.03.16.

		₹		₹
To	Opening Stock	11,000	By Sales	5,20,000
To	Purchases	2,50,000	By Dividend from	
To	Salaries	50,000	foreign company	4,000
To	Business Expenses	7,500	By Bad Debt recovery	
То	Income Tax	8,500	(Disallowed	
To	Fine paid to		in 2009-'10)	35,000
	Excise Dept.	12,000	By Bank Interest	15,000
To	Provision for		By Closing Stock	66,000
	Bad debt	8,000		
To	Depreciation	27,000		
То	Donation to Puri		8	
	Temple	10,000	2	
To	Sales Tax	16,000		
То	Travelling Expenses	5,000		
To	Advertisement	15,000		
To	Net Profit	2,20,000	2212	
	_	6,40,000		6,40,000

Additional Information:

(i) Both opening and closing stock have been valued at 10 % above cost.

- (ii) Business expenses include (i) wages
 @ ₹ 200 p.m. to his domestic servant;
 (ii) LIC premium of ₹ 1,600 on his own life.
- (iii) Purchase include a payment of ₹ 40,000 made in cash.
- (iv) Depreciation as per I.T Rules ₹ 22,000.
- (c) (i) Who is liable to pay advance tax? State the due dates for payment of advance tax by an individual. 2+3
 - (ii) Mention any five income which are fully exempt from tax under the Income

 Tax Act. 1 × 5
 - (iii) State the status of Vidyasagar University under the Income Tax Act? Define previous year. What do you mean by Tax Planning?

(d) Mr. D. Mallick furnished the following information for the previous year 2015-'16: 15

10	House I	House II
Where situated How used Construction completed of Gross Municipal value (₹		Durgapur Self-occupied 20.10.13 25,000
Fair Rent (₹)	60,000	40,000
Annual Rent	72,000	
Standard Rent	55,000	
Vacancy period	3 months	
Municipal Tax	10 % of	1200
	Municipal value	
Repairs paid	2500	
Loan taken for construction	1	
@ 8 % p.a. (₹)	1,00,000	2,00,000
(Date of taking loan)	30.09.08	01.06.2011

Other Information:

In case of House-I, Municipal tax for the last quarter remains unpaid while unpaid

Municipal tax of ₹ 475 for the year 2014-'15 was paid during 2015-'16.

Compute 'Income from House Property' of Mr. Mallick during the A.Y 2016-'17.

(Indirect Tax)

4.	Ans	swer any three questions:	4	×	3
	(a)	What are the basic conditions for levy excise duty under the Central Excise		,	
		1044	50		4

- (b) (i) Who is liable to pay central sales tax?
 - (ii) When is a dealer required to himself compulsorily registered as per CST Act 1956?
- (c) (i) Define 'Goods' as per West Bengal Value Added Tax act 2003.
 - (ii) Mention the VAT rate applicable in case of schedule A goods and Schedule B goods.

(d) Mr. Rupam is a registered dealer, during December 2015, the particulars of his sales are under: 4 Schedule A goods (exempted) (i) ₹ 3,00,000 (ii) Schedule C goods (VAT @ 5%) ₹ 3,78,000 (including VAT) (iii) Schedule CA goods (VAT @ 14.5%) ₹ 2,50,000 (excluding VAT) (iv) Sales return of CA goods during the month was ₹ 50,000 (excluding VAT)

Compute sales turnover and VAT payable by Mr. Rupam.

(e) From the following details, calculate the turnover and CST payable by Nitish carrying on business in Kolkata.

₹

Gross Turnover

6,50,228

The turnover includes the following:

(i) Trade discount for which credit note have been issued separately 11,000

(ii)	Excise duty	40,000
(iii)	Freight and Insurance separately charged	9,000
(iv)	Installation charges charged separately	12,000
(v)	One dealer has returned goods within 4 months	17,160
(vi)	CST rate @ 2% against C form	1

5. Answer any two questions:

 8×2

8

(a) Sri Kartick Datta is a registered dealer in Kolkata. During 2015-'16 his purchases and sales were as under:

Types of goods	Purchases (including VAT)	Sales (including VAT)
Schedule C goods (VAT 5%)	1,45,600	2,02,800
Schedule CA goods		1
(VAT 14-5 %)	2,65,500	2,02,250

Sales return of CA goods within 20 days of sale ₹ 13,500 (inclusive of VAT).

Purchase return of schedule C goods ₹ 19,500 (inclusive of VAT).

Compute VAT payable by Mr. Datta under WB VAT Act.

- (b) (i) What are the objectives of Central Sales Tax Act 1956?
 - (ii) Discuss the advantages of VAT. 4+4
- (c) (i) What are the essential elements of Inter-State Sale?
 - (ii) State the important features of Central Excise Duty. 5+3
- (d) Calculate, from the following information the sales price of the goods to Mr. Chanda who is a dealer under WB VAT Act 2003:
 - (i) Cost of the goods ? 2,00,000.

(ii) Profit 25% of the cost of goods.

(iii) Packing charges ₹ 5,000

(iv) Freight and delivery charges ₹ 1,500

(v) Installation charges ₹ 400.

(vi) Trade discount is 6%

(vii) VAT rate is 14.5 %

বঙ্গানুবাদ

দক্ষিণ-প্রান্তস্থ সংখ্যাগুলি প্রশ্নমান নির্দেশক

পরীক্ষার্থীদের যথাসম্ভব নিজের ভাষায় উত্তর দেওয়া প্রয়োজন

(নৃতন পাঠক্রম)

(Direct Taxes)

১। যে কোন দৃটি প্রশ্নের উত্তর দাও:

8 x 3

(a) Mr. Roy, an Indian Citizen, left India for the purpose of employment in USA for the first time on 01.10.15. He returned to India on 30.03.16 for visit and returned back to USA after staying 20 days in India. During the previous year '15-'16 he earned the following income:

- (i) Salary earned in USA ₹ 5,00,000 and credited to USA.
- (ii) Interest received in India from Fixed Deposit in Bank ₹ 1,20,000.

Determine the residential status and tax incidence in India for the A.Y 2016-'17. \ \ + \ \

- (b) State under which head the following incomes will be taxable: > × 8
 - (i) Tarun received ₹ 7,200 as interest on Fixed Deposit with SBI.
 - (ii) Akash received a gain of ₹ 35,000 on sale of shares held by him.
 - (iii) A received ₹ 2,700 as remuneration as an examiner from V.U.
 - (iv) B, a lawyer, earned an income of ₹ 1,45,000 from his profession.

(c) Mr. R. Bose is 60 years old and furnished the following information for the previous year 2015-'16. Compute his taxable income for the Assessment Year (A.Y) 2016-'17.

Income form growing and manufacturing tea ₹ 1,20,000 and that from rubber is ₹ 2,00,000.

(d) PAN कि ? আয়কর আইন অনুসারে তিনটি লেনদেনের নাম কর যেখানে PAN লেখা বাধ্যতামূলক। > + ও

২। যে কোন ভিনটি প্রশ্নের উত্তর দাওঃ

- (a) Ms Suparna Roy (age 46 yrs), a resident individual of India, furnished the following details of her income during the P.Y 2015-116. Compute her total income and tax payable for the A.Y. 2016-117.
 - (i) Gross salary ₹ 5,00,000 (Professional Tax paid ₹ 2,000)
 - (ii) Income from business owned by her

8

b x o

- ₹ 2,00,000 and allowable expenses ₹ 1,20,000.
- (iii) Received family pension ₹ 10,000 pm w.e.f. 01.04, 2015.
- (iv) Long-term capital gain on sale of building ₹ 80,000.
- (v) She received her share of income from HUF as member ₹ 40,000.
- (vi) She deposited to PPF ₹ 80,000 during the year.
- (vii) Donation to National Defence Fund ₹ 25,000.
- (viii) Paid premium on mediclaim insurance policy on own health by cheque ₹ 16,000.
- (b) (i) Mr. Sardar acquired an inherited property on 30.08.87 from his grandfather who purchased it at ₹ 2,10,000 on 30.06.81. The market value of the property as on 01.04.82 was ₹ 5,10,000. On 01.07.87

he purchased gold valued ₹ 1,50,000 the market value of which was ₹ 1,47,000 as on 01.04.87. He sold both the assets on 30.11.15 for ₹ 60,00,000 and ₹ 2,10,000 respectively. Calculate the amount of capital gain of Mr. Sardar for the A.Y 2016-'17.

(ii) Mr. Sinha furnished the following informations for the P.Y. 2015-'16:

Director's fees ₹ 22,000; Interest on Post office Savings Bank Deposit ₹ 700; Rent received from subletting a house ₹ 33,250; rent payable for the above house ₹ 19,000; Other expenses incurred in connection with the house amounted to ₹ 8,000; Dividend from a foreign company ₹ 2,500.

You are required to calculate income from other sources of Mr Sinha for the A.Y. 2016-'17.

(c) (i) From the following income calculate deduction allowable under section 80 GG and taxable income of Mr. Pradhan for the A.Y. 2016-'17:

-	₹
Income from business	2,25,000
Interest on Bank Deposit	25,000
Deduction u/s 80D	15,000
Rent paid for his self-occupied house	3,750p.m.

(ii) Mr. X furnished the following information for the P.Y. 2015-'16:

	₹
Income from Business A (Speculative)	50,000
Loss from Business B (Speculative)	75,000
Income from Business C (Non-Speculative	
Income from house property	20,000
Short term Capital gain	15,000
Long term Capital Loss	10,000
Brought forward loss from Business C	25,000
Brought forward loss from house	,
property	23,000
Compute total income and the lo	sses to be
carried forward.	Ω.L.

- (d) (i) একজন নাবালকের আয়গুলি একট্রীকরণের সংস্থান সম্পর্কে আয়কর আইন সংক্ষেপে ব্যাখ্যা কর ।
 - (ii) 'Belated return' জমা দেওয়ার সময় সীমা ও
 শর্তাবলী ব্যাখ্যা কর । ৪+৪
- (e) Write short notes on:

8 + 8

- (i) 'Revised Return' and
- (ii) 'Best Judgement assessment'.
- ৩। যে কোন দুটি প্রশ্নের উত্তর দাও :

56 x 3

- (a) From the following particulars, Compute the total income of Mr. Natasha for the A.Y. 2016-'17, who is working in a private firm: > &
 - (i) Basic pay as per scale 15000-1000-20000-1500-27500. She was appointed on 01.01.13.
 - (ii) D.A. @ 75% of Basic Pay.
 - (iii) Car Allowance @ ₹ 1000 p.m. but she spent ₹ 800 p.m. for travelling for her official duties.

- (iv) Medical Allowance @ 600 p.m. She spent only ₹ 5,000 for medical treatment of her family.
- (v) Entertainment Allowance @ 2700 p.m.
 but she spent ₹ 9,000 for entertainment
 of customers at office.
- (vi) Children education allowance @ ₹ 90 p.m. for each of her 3 children.
- (vii) She and her employer each contributed 14% of her basic salary to R.P.F. Interest credited to this fund @ 10% amounting to ₹ 19,000 in this year.
- (viii) H.R.A. received ₹ 24,000. She stays in a house at Kolkata paying rent@ ₹ 3,000 p.m.
- (ix) Her employer pays the wages of sweeper @ ₹ 1,000 p.m. and cook @ ₹ 1,500 p.m.

- (x) Her employer also reimbursed gas bill of ₹ 3,000, electric bill of ₹ 6,000 during the year.
- (xi) She paid professional tax @ ₹ 130 p.m.
- bank interest of ₹ 10,000, dividend from an Indian Company ₹ 12,000 and dividend from a foreign company ₹ 8,000. She paid ₹ 15,000 as Mediclaim premium on the health of her spouse and children, paid LIC premium of ₹ 18,000 on her married daughter's life, donation ₹ 12,000 to Prime Minister's National Relief Fund and contributed ₹ 5,000 to local poor people.
- (b) From the following P/L A/c and other relevant information, compute income from Business of Ratanlal for the A.Y 2016-'17:>@

P/L A/c for the year ended 31.03.16.

		₹		₹
То	Opening Stock	11,000	By Sales	5,20,000
То	Purchases	2,50,000	By Dividend from	
То	Salaries	50,000	foreign company	4,000
To	Business Expenses	7,500	By Bad Debt recovery	
То	Income Tax	8,500	(Disallowed	
То	Fine paid to		in 2009-'10	35,000
	Excise Dept.	12,000	By Bank Interest	15,000
То	Provision for	81	By Closing Stock	66,000
	Bad debt	8,000		
То	Depreciation	27,000	8	
То	Donation to Puri			
	Temple	10,000		
То	Sales Tax	16,000		
То	Travelling Expenses	5,000		
То	Advertisement	15,000		
То	Net Profit	2,20,000		
	_	6,40,000		6,40,000

Additional Information:

(i) Both opening and closing stock have been valued at 10 % above cost.

- (ii) Business expenses include (i) wages
 @ ₹ 200 p.m. to his domestic servant;
 (ii) LIC premium of ₹ 1,600 on his own life.
- (iii) Purchase include a payment of ₹ 40,000 made in cash.
- (iv) Depreciation as per I.T Rules ₹ 22,000.
- (c) (i) অগ্রিম কর প্রদানের জন্য দায়বদ্ধ কে ? একজন ব্যক্তির ক্ষেত্রে অগ্রিম কর প্রদানের তারিখগুলি ব্যাখ্যা কর ।
 - (ii) যে কোন ৫টি আয়ের উল্লেখ কর যাহা আয়কর আইন অনুযায়ী করমুক্ত । ১ × ৫
 - (iii) আয়কর আইনানুসারে বিদ্যাসাগর বিশ্ববিদ্যালয়ের মর্যাদা কি ?পূর্ববর্তী বংসর বলিতে কি বোঝ ? কর পরিকল্পনা কি ?

(d) Mr. D. Mallick furnished the following information for the previous year 2015-'16: 5@

	House I	House II
Where situated	Kolkata	Durgapur
How used	Let out	Self-occupied
Construction completed or	15.05.09	20.10.13
Gross Municipal value (₹)	30,000	25,000
Fair Rent (₹)	60,000	40,000
Annual Rent	72,000	
Standard Rent	55,000	
Vacancy period	3 months	
Municipal Tax	10 % of	1200
	Municipal	
	value	
Repairs paid	2500	
Loan taken for construction		
@ 8 % p.a. (₹)	1,00,000	2,00,000
(Date of taking loan)	30.09.08	01.06.2011

Other Information:

In case of House-I, Municipal tax for the last quarter remains unpaid while unpaid

Municipal tax of ₹ 475 for the year 2014-'15 was paid during 2015-'16.

Compute 'Income from House Property' of Mr. Mallick during the A.Y 2016-'17.

১৯৪৪ সালের কেন্দ্রীয় উৎপাদন শুষ্ক আইনানুসারে উৎপাদন শুষ্ক আরোপের মূল শর্তাবলী ব্যাখ্যা কর ।

8 x 9

₹ 3,00,000

(Turn Over)

(Indirect Tax)

যে কোন তিনটি প্রশ্রের উত্তর দাওঃ

(b)	(i) কেন্দ্রীয় বিক্রয় কর প্রদানের জন্য দায়ী কে ?
26	(ii) কেন্দ্রীয় বিক্রেয় কর আইন অনুযায়ী কখন একজন ডিলার নিজেকে অবশ্যই নিবন্ধীকরণ করবেন ? ১ + ৩
(c)	(i) ২০০৩ সালের পশ্চিমবঙ্গ যুক্তমূল্য কর আইনানুসারে 'পণ্যদ্রব্য' এর সংজ্ঞা দাও ।
	(ii) তপশিল A পণ্যদ্রব্য ও তপশিল B পণ্যদ্রব্য – এর ক্ষেত্রে VAT হার উল্লেখ কর । ২ + ২
(d)	Mr. Rupam is a registered dealer, during December 2015, the particulars of his sales
	are under:

(i) Schedule A goods (exempted)

UG/II/D & IT/H/AH5/17(New)

(ii) Schedule C goods (VAT @ 5%) ₹ 3,78,000 (including VAT) (iii) Schedule CA goods (VAT @ 14.5%) ₹ 2,50,000 (excluding VAT) (iv) Sales return of CA goods during the month was ₹ 50,000 (excluding VAT) Compute sales turnover and VAT payable by Mr. Rupam. (e) From the following details, calculate the turnover and CST payable by Nitish carrying on business in Kolkata. 8 Gross Turnover 6,50,228 The turnover includes the following: (i) Trade discount for which credit note have been issued separately 11,000 (ii) Excise duty 40,000 (iii) Freight and Insurance separately charged 9,000 (iv) Installation charges charged

separately

12,000

(v) One dealer has returned goods within 4 months

17,160

(vi) CST rate @ 2% against C form

41 Answer any two questions:

b x 3

(a) Sri Kartick Datta is a registered dealer in Kolkata. During 2015-'16 his purchases and sales were as under:

Types of goods	Purchases	Sales (including VAT)
	(including VAT)	(including vAi)
Schedule C goods		e e
(VAT 5%)	1,45,600	2,02,800
Schedule CA goods	8	r 1
(VAT 14·5 %)	2,65,500	2,02,250

Sales return of CA goods within 20 days of sale ₹ 13,500 (inclusive of VAT).

Purchase return of schedule C goods ₹ 19,500 (inclusive of VAT).

Compute VAT payable by Mr. Datta under WB VAT Act.

- (b) (i) ১৯৫৬ সালের কেন্দ্রীয় বিক্রয় কর আইনের উদ্দেশ্যগুলি ব্যাখ্যা কর।
 - (ii) VAT এর সুবিধাগুলি ব্যাখ্যা কর । 8 + 8
- (c) (i) আন্তঃরাজ্য বিক্রয়ের আবশ্যক উপাদানগুলি কি কি ?
 - (ii) কেন্দ্রীয় উৎপাদন শুষ্ক আইনের গুরুত্বপূর্ণ বৈশিষ্ট্যগুলি ব্যাখ্যা কর। ৫+৩
- (d) Calculate, from the following information the sales price of the goods to Mr. Chanda who is a dealer under WB VAT Act 2003:
 - (i) Cost of the goods \neq 2,00,000.
 - (ii) Profit 25% of the cost of goods
 - (iii) Packing charges ₹ 5,000
 - (iv) Freight and delivery charges ₹ 1,500
 - (v) Installation charges ₹ 400
 - (vi) Trade discount is 6%
 - (vii) VAT rate is 14.5 %.