

NEW
Part-III 3-Tier
2017
DIRECT AND INDIRECT TAXES
(General)

PAPER—G-5

Full Marks : 100

Time : 3 Hours

The figures in the right-hand margin indicate full marks.

Candidates are required to give their answers in their own words as far as practicable.

Illustrate the answers wherever necessary.

Group—A

1. Answer any five questions of the following : 5×4
- (a) Explain the term "Assessee" under the Income Tax Act, 1961.
- (b) What do you mean by 'earned income' and 'unearned income'? Give examples.

(Turn Over)

- (c) State the differences between Direct taxes and Indirect taxes.
- (d) Write down six incomes which are fully exempt from tax.
- (e) Distinguish between 'Capital assets' and 'Capital gains'.
- (f) What are the due dates of filing the returns of income of different types of assesseees [sec. 139(1)] ?
- (g) What is belated return ? What is the time limit for submitting a belated return ?
- (h) Define 'Goods' as per Central Excise Act, 1944.
- (i) State the salient features of Value Added Tax (VAT).
- (j) Mention six services which are not subject to service tax.

Group—B

2. Answer any *five* questions from the following : 5×8
- (a) From the following information compute gross total income of Mr. Sarkar for the Assessment Year 2016-17 assuming that he is

(i) Resident & Ordinarily Resident ;

(ii) Resident but not Ordinarily Resident.

(i) Dividend paid by an Indian Company credited in a bank account at London of Rs. 25,000.

(ii) Agricultural income from Bangladesh received there but later on remitted to India of Rs. 15,000.

(iii) Salary received at London for the services rendered in India of Rs. 30,000.

(iv) Gift in foreign currency received in India from a friend living in London of Rs. 30,000.

(b) Mr. X, an employee of a mercantile firm retired on 31.12.2015 after 30 years and 8 months of service. He received gratuity of Rs. 11,00,000. The last drawn monthly salary at the time of retirement was Rs. 42,000. In June 2015, he received monthly increment of salary of Rs. 1,500.

Calculate the amount of taxable gratuity of Mr. X for the assessment year 2016-17 assuming that he is not covered by the payment of Gratuity Act, 1972.

(c) What do you mean by 'Tax Evasion', 'Tax Avoidance' and 'Tax Planning'?

- (d) State some cases where the income from house property is not chargeable to tax.
- (e) Compute the total income of Sri Roy from the information given below for the assessment year 2016-17 :

	Rs.
Income from Salaries	3,60,000
Income from House Property	60,000
Business Loss (non-speculative)	2,80,000
Short term Capital Loss	1,00,000
Long term Capital Gain	2,20,000

- (f) State the provisions of deductions under chapter VIA of Income Tax Act in respect of the following for the Assessment Year 2016-17 :
- (i) Deduction in respect of repayment of loan taken for higher education.
 - (ii) Deduction in respect of interest on deposits in savings account.
- (g) Discuss the taxability of income of a newly established industrial undertaking.

- (h) Discuss the provisions relating to registration under rule 4 of the Service Tax Rules.
- (i) What is meant by CENVAT Credit Scheme? Who are entitled to get such credit? State the conditions for availing the benefit of Cenvat Credit.
- (j) What is Permanent Account Number (PAN)? Mention any five transactions when quoting of PAN is mandatory under the Income Tax Act.

Group—C

3. Answer any *two* questions of the following : 2×15
- (a) State how the residential status of an individual is determined under the Income Tax Act, 1961.
- (b) From the following particulars compute total income of Mr. Sen for the Assessment Year 2016-17, who is working in a Private Limited Company :
- (i) Basic salary 10,000 p.m.
- (ii) Dearness Allowance @ 50% of basic salary.
- (iii) Medical allowance @ Rs. 500 p.m. He spent Rs. 4,500 during the year for medical treatment of his family members.

- (iv) Car allowance @ Rs. 800 p.m but he spent Rs. 700 p.m for hiring of cars in performance of his official duties, on an average.
- (v) Children education allowance @ Rs. 300 p.m for each of his three children. Actual expenditure for education of children @ Rs. 800 p.m each on an average.
- (vi) He and his employer each contributed 15% of his basic salary to recognised provident fund. Interest credited to this fund @ 8.5% p.a on March 31, 2016 amounted to Rs. 14,250.
- (vii) He is provided with a rent-free accommodation in Kolkata, the fair rent of which is Rs. 200 p.m. Furniture provided by the employer costing Rs. 25,000 is also provided.
- (viii) His employer also reimburses gas bills of Rs. 3,000, electricity bills of Rs. 6,000 and club bills of Rs. 8,000 during the year.
- (ix) During the year he received bank interest from fixed deposit Rs. 8,500, dividend from an Indian Company Rs. 7,000. He also paid Rs. 9,000 as mediclaim premium, paid LIC premium of Rs. 8,000 on the life of his wife, donated Rs. 10,000 to National Defence Fund and contributed Rs. 5,000 to Ramkrishna Mission.

- (c) Mr. Patra is the owner of three houses properties, the particulars of which for the Previous year 2015-16 are stated below :

House No.	I	II	III.
Date of completion of construction :	17.10.77	01.01.2001	14.02.93
How used :	Self-occupied for own residence	Let out for tenant's residence	Self-occupied for own business
	Rs.	Rs.	Rs.
Gross Municipal value :	4500	6300	11700
Rent received :	—	7200	—
Municipal Tax :	500	700	1300
Cost of repairs :	630	600 (Paid by tenant)	250
Interest on loan (for construction)	900	—	—
Cost of special amenities (e.g. special lighting etc.)	—	300	—
Vacancy period (month)	—	—	—

Compute Sri Patra's income from house property for the assessment year 2016-17.

- (d) Mr. X makes the following payments / investments during the previous year 2015-16.

Life insurance premium on own life (sum assured Rs. 1,00,000 ; policy is taken before April 1, 2012) :	25,000
Life Insurance Premium on married Daughter's life (sum assured : 1,50,000 ; policy is taken on May 2, 2012) :	17,500
Life Insurance premium of dependent brother's life (actual capital sum assured Rs. 1,20,000) :	15,000
Investment in NSC (VIII Issue) :	25,000
Accrued interest on NSC (including last year's interest Rs. 2897) :	6,000
Tuition fees of two children (14,000 + 16,000) :	30,000

Calculate the amount of deduction under section 80C. What will be the amount of deduction if Mr. X is —
(i) a senior citizen and (ii) non-resident in India.

- (e) Describe the 'inclusions' and 'exclusions' in respect of valuation of imported goods. 15

[Internal Assessment — 10 Marks]

বঙ্গানুবাদ

দক্ষিণ প্রান্তস্থ সংখ্যাগুলি প্রস্তুতমান নির্দেশক।

পরীক্ষার্থীদের যথাসম্ভব নিজের ভাষায় উত্তর দেওয়া প্রয়োজন।

বিভাগ—ক

১। যে কোন পাঁচটি প্রশ্নের উত্তর দাও :

৫×৪

- (ক) আয়কর আইন, ১৯৬১ অনুযায়ী 'করদাতা' শব্দটি ব্যাখ্যা কর।
- (খ) 'অর্জিত আয়' এবং 'অনার্জিত আয়' বলতে কি বোঝ? উদাহরণ দাও।
- (গ) প্রত্যক্ষ ও পরোক্ষ করের মধ্যে পার্থক্য নির্দেশ কর।
- (ঘ) করমুক্ত ছয়টি আয়ের নাম লেখ।
- (ঙ) 'মূলধনী সম্পত্তি' ও 'মূলধনী আয়'-এর মধ্যে পার্থক্য নির্দেশ কর।
- (চ) বিভিন্ন ধরনের করদাতার ক্ষেত্রে আয়কর দাখিলা পেশ করার জন্য নির্ধারিত তারিখগুলি উল্লেখ কর।
- (ছ) বিলম্বিত রিটার্ন কি? একটি বিলেটেড রিটার্ন প্রদানের সময়সীমা কী?
- (জ) Central Excise Act, 1944 অনুযায়ী 'দ্রব্য'-এর সংজ্ঞা দাও।

(ঝ) মূলযুক্ত কর (VAT)-এর বিশেষ বৈশিষ্ট্যগুলি লেখ।

(ঞ) পরিষেবা করের অন্তর্ভুক্ত নয় এমন ছয়টি পরিষেবার উল্লেখ কর।

বিভাগ—খ

২। যে-কোন পাঁচটি প্রশ্নের উত্তর দাও :

৫×৮

(ক) From the following information, compute gross total income of Mr. Sarkar for the Assessment Year 2016-17 assuming that he is

(i) Resident & Ordinarily Resident ;

(ii) Resident but not Ordinarily Resident.

(i) Dividend paid by an Indian Company credited in a bank account at London of Rs. 25,000.

(ii) Agricultural income from Bangladesh received there but later on remitted to India of Rs. 15,000.

(iii) Salary received at London for the services rendered in India of Rs. 30,000.

(iv) Gift in foreign currency received in India from a friend living in London of Rs. 30,000.

- (খ) Mr. X, an employee of a mercantile firm retired on 31.12.2015 after 30 years and 8 months of service. He received gratuity of Rs. 11,00,000. The last drawn monthly salary at the time of retirement was Rs. 42,000. In June 2015, he received monthly increment of salary of Rs. 1,500.

Calculate the amount of taxable gratuity of Mr. X for the assessment year 2016-17 assuming that he is not covered by the payment of Gratuity Act, 1972.

- (গ) 'কর ফাঁকি', 'কর এড়ানো' এবং কর পরিকল্পনা বলতে কি বোঝ?
- (ঘ) গৃহসম্পত্তি থেকে উদ্ধৃত এমন কয়েকটি আয়ের বিষয় উল্লেখ কর যেগুলি করযোগ্য নয়।
- (ঙ) Compute the total income of Sri Roy from the information given below for the assessment year 2016-17 :

	Rs.
Income from Salaries	3,60,000
Income from House Property	60,000
Business Loss (non-speculative)	2,80,000
Short term Capital Loss	1,00,000
Long term Capital Gain	2,20,000

- (ঢ) State the provisions of deductions under chapter VIA of Income Tax Act in respect of the following for the Assessment Year 2016-17 :
- (i) Deduction in respect of repayment of loan taken for higher education.
- (ii) Deduction in respect of interest on deposits in savings account.
- (ছ) মুক্ত বাণিজ্য অঞ্চলে অবস্থিত নতুন শিল্প সংস্থার আয়ের করযোগ্যতা আলোচনা কর।
- (জ) পরিষেবা কর আইন, রুল ৪ অনুযায়ী নিবন্ধনের বিধানগুলি আলোচনা কর।
- (ঝ) 'CENVAT Credit Scheme' বলতে কি বোঝ? এইরূপ সুবিধা পাওয়ার যোগ্য কারা? সুবিধা পাওয়ার শর্তগুলি উল্লেখ কর।
- (ঞ) স্থায়ী হিসাব নম্বর (PAN) কি? এমন পাঁচটি ক্ষেত্রের বিষয়ে উল্লেখ কর যেখানে PAN উল্লেখ করা বাধ্যতামূলক।

৩। যে-কোন দুইটি প্রশ্নের উত্তর দাও :

২×১৫

(ক) আয়কর আইন ১৯৬১, অনুযায়ী কিভাবে একজন ব্যক্তির আবাসিক মর্যাদা নির্ণীত হয়?

(খ) From the following particulars compute total income of Mr. Sen for the Assessment Year 2016-17, who is working in a Private Limited Company :

(i) Basic salary 10,000 p.m.

(ii) Dearness Allowance @ 50% of basic salary.

(iii) Medical allowance @ Rs. 500 p.m. He spent Rs. 4,500 during the year for medical treatment of his family members.

(iv) Car allowance @ Rs. 800 p.m but he spent Rs. 700 p.m for hiring of cars in performance of his official duties, on an average.

(v) Children education allowance @ Rs. 300 p.m for each of his three children. Actual expenditure for education of children @ Rs. 800 p.m each on an average.

- (vi) He and his employer each contributed 15% of his basic salary to recognised provident fund. Interest credited to this fund @ 8.5% p.a on March 31, 2016 amounted to Rs. 14,250.
- (vii) He is provided with a rent-free accommodation in Kolkata, the fair rent of which is Rs. 200 p.m. Furniture provided by the employer costing Rs. 25,000 is also provided.
- (viii) His employer also reimburses gas bills of Rs. 3,000, electricity bills of Rs. 6,000 and club bills of Rs. 8,000 during the year.
- (ix) During the year he received bank interest from fixed deposit Rs. 8,500, dividend from an Indian Company Rs. 7,000. He also paid Rs. 9,000 as mediclaim premium, paid LIC premium of Rs. 8,000 on the life of his wife, donated Rs. 10,000 to National Defence Fund and contributed Rs. 5,000 to Ramkrishna Mission.

(*) Mr. Patra is the owner of three houses properties, the particulars of which for the Previous year 2015-16 are stated below :

House No.	I	II	III
Date of completion of construction :	17.10.77	01.01.2001	14.02.93
How used :	Self-occupied for own residence	Let out for tenant's residence	Self-occupied for own business
	Rs.	Rs.	Rs.
Gross Municipal value :	4500	6300	11700
Rent received :	—	7200	—
Municipal Tax :	500	700	1300
Cost of repairs :	630	600	250
		(Paid by tenant)	
Interest on loan (for construction)	900	—	—
Cost of special amenities (e.g. special lighting etc.)	—	300	—
Vacancy period (month)	—	—	—

Compute Sri Patra's income from house property for the assessment year 2016-17.

(ঘ) Mr. X makes the following payments / investments during the previous year 2015-16.

Life insurance premium on own life (sum assured Rs. 1,00,000 ; policy is taken before April 1, 2012) :	25,000
Life Insurance Premium on married Daughter's life (sum assured : 1,50,000 ; policy is taken on May 2, 2012) :	17,500
Life Insurance premium of dependent brother's life (actual capital sum assured Rs. 1,20,000) :	15,000
Investment in NSC (VIII Issue) :	25,000
Accrued interest on NSC (including last year's interest Rs. 2897) :	6,000
Tuition fees of two children (14,000 + 16,000) :	30,000

Calculate the amount of deduction under section 80C. What will be the amount of deduction if Mr. X is —
(i) a senior citizen and (ii) non-resident in India.

(ঙ) আমদানিকৃত পণ্যের মূল্যায়নের ক্ষেত্রে যেসব অন্তর্ভুক্ত হয় এবং যেসব ব্যয় অন্তর্ভুক্ত হয় না তাদের বিবরণ দাও। ১৫

[অভ্যন্তরীণ মূল্যায়ণ — ১০ নম্বর]