

**INTERMEDIATE COURSE: GROUP - I**

**PAPER – 3: TAXATION**

**Time Allowed – 3 Hours**

**Maximum Marks – 100**

**SECTION – A: INCOME TAX LAW (50 MARKS)**

*Working Notes should form part of the answer. Wherever necessary, suitable assumptions may be made by the candidates and disclosed by way of a note. However, in answers to Questions in Division A, working notes are not required.*

*The relevant assessment year is A.Y.2024-25.*

**Division A – Multiple Choice Questions**

**Write the most appropriate answer to each of the following multiple choice questions by choosing one of the four options given. All questions are compulsory.**

1. Mr. Sambhav (aged 48 years) furnishes the following particulars for the previous year 2023-24 in respect of an industrial undertaking established in "Special Economic Zone" in March 2018. It began manufacturing in April 2018.

| <b>Particulars</b>                                     | <b>(₹)</b> |
|--|------------|
| Total sales  | 85,00,000  |
| Export sales [proceeds received in India by 30.9.2024] | 45,00,000  |
| Domestic sales   | 40,00,000  |
| Profit from the above undertaking                      | 20,00,000  |

Export Sales of F.Y. of 2023-24 include freight and insurance of ₹ 5 lakhs for delivery of goods outside India.

He received rent of ₹ 30,000 per month for a commercial property let out to Mr. Akash, a salaried individual. He earned interest on savings bank A/c of ₹ 15,000 and interest on Post Office savings A/c of ₹ 7,000 during the P.Y. 2023-24.

Mr. Sambhav has shifted out of the default tax regime under section 115BAC.

Based on the facts of the case scenario given above, choose the most appropriate answer to the following questions: **(3 x 2 Marks)**

- (i) Compute the amount of export turnover and total turnover for purpose of computing deduction under section 10AA for A.Y. 2024-25.
- (a) ₹ 45,00,000 and ₹ 85,00,000, respectively

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- (b) ₹ 40,00,000 and ₹ 80,00,000, respectively  
(c) ₹ 45,00,000 and ₹ 80,00,000, respectively  
(d) ₹ 40,00,000 and ₹ 85,00,000, respectively
- (ii) Compute the amount of deduction available to Mr. Sambhav under section 10AA for A.Y. 2024-25.  
(a) ₹ 10,00,000  
(b) ₹ 4,70,577  
(c) ₹ 5,62,500  
(d) ₹ 5,00,000
- (iii) Compute the total income of Mr. Sambhav for A.Y. 2024-25.  
(a) ₹ 17,60,500  
(b) ₹ 12,60,500  
(c) ₹ 18,72,000  
(d) ₹ 17,64,000
2. Mr. Anshul, aged 54 years, an Indian citizen, is working as Assistant Manager in ABC India Ltd. He is getting basic salary of ₹ 58,000 per month. He used to travel frequently out of India for his office work. He left India from Delhi Airport on 5<sup>th</sup> October, 2023 and returned to India on 2<sup>nd</sup> April, 2024.

For previous year 2023-24, following information are relevant;

- (a) Dearness Allowance - 10% of Basic Pay (considered for retirement purposes)  
(b) Bonus - ₹ 98,000  
(c) Medical allowance paid during P.Y. 2023-24 amounting to ₹ 60,000  
(d) He was also reimbursed medical bill of his mother amounting to ₹ 15,000.  
(e) He was also reimbursed salary of house servant of ₹ 4,000 per month.  
(f) Professional tax paid by employer amounting to ₹ 2,400.  
(g) 400 equity shares allotted by ABC India Ltd. at the rate of ₹ 250 per share against fair market value of share of ₹ 350 on the date of exercise of option.  
(h) Mr. Anshul has exercised the option to shift out of the default tax regime under section 115BAC.

Based on the facts of the case scenario given above, choose the most appropriate answer to the following questions: **(3 x 2 Marks)**

- (i) What is Mr. Anshul's residential status for the A.Y. 2024-25?  
(a) Resident but can't determine resident and ordinarily resident or resident but not ordinarily resident from the given information

- (b) Non-Resident  
(c) Resident but not ordinarily resident  
(d) Resident and ordinarily resident
- (ii) What are his taxable perquisites for A.Y. 2024-25?  
(a) ₹ 55,000  
(b) ₹ 90,400  
(c) ₹ 1,05,400  
(d) ₹ 1,03,000
- (iii) What is the income chargeable under the head "Salaries" in the hands of Mr. Anshul for A.Y. 2024-25?  
(a) ₹ 9,76,600  
(b) ₹ 9,86,600  
(c) ₹ 9,71,600  
(d) ₹ 9,61,600
3. Mr. Ross, an Australian citizen, is employed in the Indian embassy in Australia. He is a non-resident in India for A.Y. 2024-25. He received salary and allowances in Australia from the Government of India for the year ended 31.03.2024 for services rendered by him in Australia. In addition, he was allowed perquisites by the Government. Which of the following statements are correct?  
(a) Salary, allowances and perquisites received outside India are not taxable in the hands of Mr. Ross, since he is non-resident  
(b) Salary, allowances and perquisites received outside India by Mr. Ross are taxable in India since they are deemed to accrue or arise in India  
(c) Salary received by Mr. Ross is taxable in India but allowances and perquisites are exempt  
(d) Salary received by Mr. Ross is exempt in India but allowances and perquisites are taxable **(2 Marks)**
4. Which of the following returns can be revised under section 139(5)?  
(i) A return of income filed u/s 139(1)  
(ii) A belated return of income filed u/s 139(4)  
(iii) A return of loss filed u/s 139(3)
- Choose the correct answer:  
(a) Only (i)  
(b) Only (i) and (ii)  
(c) Only (i) and (iii)  
(d) (i), (ii) and (iii) **(1 Mark)**

**Division B – Descriptive Questions**

*Question No. 1 is compulsory.*

*Attempt any **two** questions from the remaining **three** questions.*

1. Ms. Farah, aged 40 years, is an advocate (Taxation). She keeps her books of accounts on accrual basis. Her profit & loss account for the year ended on March 31, 2024 is as follows:

**Profit & Loss Account for the year ending March 31, 2024**

|  | AMOUNT<br>(₹)    |  | AMOUNT<br>(₹)    |
|--|------------------|--|------------------|
| Staff salary                                     | 40,10,000        | Fees Earned from:  |                  |
| Rent   | 9,00,000         | Taxation services  | 50,00,000        |
| Administrative expenses                          | 6,50,000         | Appeals  | 16,00,000        |
| Incentives to office staff                       | 2,00,000         | Consultancy  | 15,00,000        |
| Meetings, Seminars and conferences               | 1,70,000         | Dividend from an Indian company (gross)                                      | 81,00,000        |
| Purchase of car (for official use) on 01.07.2023 | 3,00,000         | Interest on deposit certificates issued under gold monetization scheme, 2015 | 11,00,000        |
| Repairs and Maintenance of car                   | 35,000           | Honorarium received for valuation of answer papers                           | 25,000           |
| Travelling Expenses                              | 5,00,000         | Rent received in respect of house property                                   | 50,000           |
| Municipal tax paid in respect of house property  | 9,000            |  | 90,000           |
| Net profit                                       | <u>25,91,000</u> |  |                  |
|  | <b>93,65,000</b> |  | <b>93,65,000</b> |

**Other information:**

- (i) Administrative expenses include ₹ 50,000 paid to a tax consultant in cash for assisting Ms. Farah in one of the professional assignments.
- (ii) The traveling expenses include expenditure incurred on foreign professional tour of ₹ 50,000 which was within the RBI norms.
- (iii) Ms. Farah paid medical insurance premium for her parents (senior citizens and not dependent on her) online amounting ₹ 47,000. She also paid ₹ 8,500 by cash towards preventive health check-up for herself and her spouse.
- (iv) Repairs and maintenance of car is for the period from 1-10-2023 to 30-09-2024.

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- (v) She has paid ₹ 1,00,000 towards advance tax during the P.Y. 2023-24. Compute Total Income and Net tax payable as per the most beneficial taxation scheme for Ms. Farah for the A.Y. 2024-25. **(15 Marks)**
2. (a) Sagar, a Chartered Accountant, is presently working in a firm in India. He has received an offer for the post of Chief Financial Officer from a company at New York. As per the offer letter, he should join the company at any time between 1st September, 2023 and 31st October, 2023. He approaches you for your advice on the following issues to mitigate his tax liability in India:
- (i) Date by which he should leave India to join the company;
  - (ii) Direct credit of part of his salary to his bank account in Delhi maintained jointly with his mother to meet requirement of his family. **(6 Marks)**
- (b) Briefly discuss the provisions of tax deduction/collection at source under the Income-tax Act, 1961 and determine the amount, if any, of TDS and TCS in respect of the following payments:
- (i) Mr. Deepak wishes to purchase a residential house costing ₹ 60 lakhs from Ms. Priya. The house is situated at Chennai and its stamp duty value is ₹ 65 lakhs. He also wants to purchase agricultural lands in a rural area for ₹ 65 lakhs. Both the buyer as well as the sellers are residents in India.
  - (ii) ABC & Co., a partnership firm is having a car dealership showroom – 2. They have purchased cars for ₹ 2 crores from XYZ Ltd., car manufacturers, the cost of each car being more than (₹12 lakhs). They sell the cars to individual buyers at a price yielding 10% margin on cost. Turnover of ABC & Co. and XYZ Ltd. was less than ₹ 10 crores during the P.Y. 2022-23. **(4 Marks)**
3. (a) Mr. Kamal, a resident but not ordinarily resident in India during the Assessment Year 2024-25. He owns two houses, one in Dubai and the other in Mumbai. The house in Dubai is let out there at a rent of DHS 20,000 p.m. (1DHS=INR 22). The entire rent is received in India. He paid property tax of DHS 2,500 and Sewerage Tax DHS 1,500 there, for the Financial Year 2023-24. The house in Mumbai is self-occupied. He had taken a loan of ₹ 10,00,000 to construct the house on 1<sup>st</sup> June, 2020 @12%. The construction was completed on 31<sup>st</sup> May, 2022 and he occupied the house on 1<sup>st</sup> June, 2022. The entire loan is outstanding as on 31<sup>st</sup> March, 2024. Property tax paid in respect of the second house is ₹ 2,400 for the Financial Year 2023-24. Compute the income chargeable under the head "Income from House property" in the hands of Mr. Kamal for the Assessment Year 2024-25 under regular provisions of the Act. **(5 Marks)**
- (b) Mr. Ashish entered into an agreement with Mr. Dhaval to sell his residential house located at Navi Mumbai on 16.08.2023 for ₹ 80,00,000.

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The sale proceeds was to be paid in the following manner;

- (i) 20% through account payee bank draft on the date of agreement.
- (ii) 60% on the date of the possession of the property.
- (iii) Balance after the completion of the registration of the title of the property.

Mr. Dhaval was handed over the possession of the property on 15.12.2023 and the registration process was completed on 14.01.2024. He paid the sale proceeds as per the sale agreement.

The value determined by the Stamp Duty Authority on 16.08.2023 was ₹ 90,00,000 whereas on 14.01.2024 it was ₹ 91,50,000.

Mr. Ashish had acquired the property on 01.04.2001 for ₹ 20,00,000. After recovering the sale proceeds from Dhaval, he purchased another residential house property in Kanpur for ₹ 15,00,000.

Compute the income under the head "Capital Gains" for the Assessment Year 2024-25.

Cost Inflation Index for Financial Year(s)

2001-02 - 100

2023-24 - 348

**(5 Marks)**

4. (a) Mr. Mohit submits the following information for the previous year 2023-24:

|        |  | (Amount in ₹) |
|--------|--|---------------|
| (i)    | Income from salary   | 6,50,000      |
| (ii)   | Income from House-I  | 55,000        |
| (iii)  | Loss from House-II (self-occupied property)                            | 1,25,000      |
| (iv)   | Loss from House-III  | 190,000       |
| (v)    | Loss from leather business   | 68,000        |
| (vi)   | Profit from cloth business   | 1,70,000      |
| (vii)  | Short term capital loss in equity-oriented funds on which STT was paid | 35,000        |
| (viii) | Income from crossword puzzles  | 12,000        |
| (ix)   | Dividend from foreign company (Gross)                                  | 8,500         |
| (x)    | Loss on owning and maintenance of race horses                          | 7,500         |
| (xi)   | Income from owning and maintenance of race bulls                       | 9,000         |

Compute the gross total income and losses to be carried forward of Mr. Mohit for assessment year 2024-25 under regular provisions of the Act. Mr. Mohit has filed his return of income on 25.07.2024. **(6 Marks)**

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- (b) What are the consequences of failure to intimate Aadhar Number. Is there any fee for such default? **(4 Marks)**

**OR**

- (b) (i) What is the fee for default in furnishing return of income u/s 234F?
- (ii) To whom the provisions of section 139AA relating to quoting of Aadhar Number do not apply? **(4 Marks)**

**SECTION B – GOODS AND SERVICES TAX (50 MARKS)**

**QUESTIONS**

- (i) Working Notes should form part of the answers. However, in answers to Questions in Division A, working notes are not required.
- (ii) Wherever necessary, suitable assumptions may be made by the candidates, and disclosed by way of notes.
- (iii) All questions should be answered on the basis of position of the GST law as amended by provisions of the CGST Act, 2017 and the IGST Act, 2017 as amended by the Finance Act, 2023, including significant notifications and circulars issued, up to 29<sup>th</sup> February, 2024.

**Division A - Multiple Choice Questions (MCQs)**

**Write the most appropriate answer to each of the following multiple-choice questions by choosing one of the four options given. All questions are compulsory.**

**Total Marks: 15 Marks**

M/s. Maahi & Co., a LLP registered dealer under GST, is engaged in various types of business activities.

It provided GTA services to Government Department, registered under GST for providing various services. Maahi & Co. did not exercise the option to pay GST.

The firm provided services of Direct Selling Agency (DSA Services) to a Banking Company located in Mumbai.

The firm provided free gift to each of its employees valuing ₹ 50,000 once in a financial year.

M/s Maahi & Co let out its warehouse to Mr. Shankar, who in turn let out to an agriculturist for warehousing of agricultural produce. The firm also undertakes catering service to “Vishwas” Anganwadi. The said Anganwadi has received fundings from Government.

The firm purchased following goods during the month of July:-

- (a) Capital goods amounting to ₹ 45,000 purchased on which depreciation has been taken on full value including GST paid thereon.
- (b) Raw materials purchased amounting to ₹ 55,000 for which invoice is missing but delivery challan is available.

Further, for the month of July, the GST liability of the firm was ₹ 20,000 IGST; ₹ 10,000 CGST; ₹ 10,000 SGST. The following credits were available in the said month-

IGST: ₹ 8,000

CGST: ₹ 12,000

SGST: ₹ 5,000

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All the amounts given above are exclusive of taxes, wherever applicable. All the supply referred above is intra-State unless specified otherwise. Conditions for availing ITC are fulfilled subject to the information given above.

Based on the information provided above, choose the most appropriate answer for the following questions-

1. Choose the correct statement(s).
  - (i) For GTA services, Government is liable to pay GST under reverse charge
  - (ii) For DSA services, Banking Company is liable to pay GST under reverse charge
  - (iii) For GTA services, Maahi & Co is liable to pay GST under forward charge
  - (iv) For DSA services, Maahi & Co is liable to pay GST under forward charge
  - (a) i & ii
  - (b) iii & iv
  - (c) i & iv
  - (d) ii & iii
2. Which of the following options is correct in respect of GTA services provided to Government Department?
  - (a) GTA service is taxable @ 12% without restriction of availing input tax credit.
  - (b) GTA service is taxable @ 12%, but input tax credit cannot be availed for the same.
  - (c) GTA service is taxable @ 5% without restriction of availing input tax credit.
  - (d) GTA service is taxable @ 5%, but input tax credit cannot be availed for the same.
3. Gift of ₹ 50,000 in value provided by Maahi & Co to each of its employee will be:
  - (a) Supply of goods
  - (b) Supply of services
  - (c) Exempt supply
  - (d) Not a supply
4. Which of the following statements is correct:-
  - (i) Letting out of warehouse to Shankar is exempt
  - (ii) Catering service to "Vishesh" Anganwadi is exempt
  - (iii) Letting out of warehouse to Shankar is not exempt
  - (iv) Catering service to "Vishesh" Anganwadi is not exempt

- (a) i & ii  
(b) iii & iv  
(c) i & iv  
(d) ii & iii
5. M/s Maahi & Co is eligible to claim input tax credit of \_\_\_\_\_  
(a) ₹ 45,000  
(b) ₹ 55,000  
(c) ₹ 1,00,000  
(d) Nil
6. Compute the GST liability of the firm for the month of July to be paid in cash, if rule 86B of the CGST Rules, 2017 is not applicable?  
(a) IGST: ₹ 10,000; CGST: Nil, SGST: ₹ 5000  
(b) IGST: ₹ 12,000; CGST: Nil; SGST: ₹ 5000  
(c) IGST: Nil; CGST: ₹ 10,000, SGST: ₹ 5000  
(d) IGST: 5,000; CGST: Nil, SGST: 10,000 **(6 x 2 Marks = 12 Marks)**
7. Kids Bazaar Pvt. Ltd., registered in Maharashtra sells kids clothing via an E-commerce operator Champ.com. Mr. Dhruv placed an order of 10 sets of Ethnic wear in different colours each costing ₹ 5,000 (GST @18% not included) on 20<sup>th</sup> January 2023. However, he returned 2 sets back after 2 days in accordance with the exchange policy of Champ.com. Determine the value of supply on which Champ.com should collect TCS from Kids Bazaar Pvt. Ltd.  
(a) ₹ 40,000  
(b) ₹ 59,000  
(c) ₹ 50,000  
(d) ₹ 47,200 **(2 Marks)**
8. Miss Gyati, a jeweller registered under GST in Mumbai, wants to sell her jewellery in a Trade Expo held in Delhi. Which of the following statements is false in his case?  
(a) She needs to get registration in Delhi as casual taxable person.  
(b) She needs to pay advance tax on estimated tax liability.  
(c) She needs to mandatorily have a place of business in Delhi.  
(d) She needs to file GSTR-1/ IFF and GSTR-3B for Delhi GSTIN for the month or quarter, as the case may be, when she gets registered in Delhi. **(1 Mark)**

**Division B - Descriptive Questions**

**Question No. 1 is compulsory.**

**Attempt any two questions out of remaining three questions.**

**Total Marks:35 Marks**

1. (a) Vishwanath Ltd., a registered supplier in Karnataka has provided the following details for supply of one machine:

|     | <b>Particulars</b>  | <b>Amount in (₹)</b> |
|-----|---|----------------------|
| (1) | List price of machine supplied [exclusive of items given below from (2) to (4)]               | 80,000               |
| (2) | Tax levied by Local Authority on sale of such machine   | 6,000                |
| (3) | Discount of 2% on the list price of machine was provided (recorded in the invoice of machine) |                      |
| (4) | Packing expenses for safe transportation charged separately in the invoice                    | 4,000                |

Vishwanath Ltd. received ₹ 5,000 as price linked subsidy from a NGO on sale of each such machine, The Price of ₹ 80,000 of the machine is after considering such subsidy.

During the month of February, Vishwanath Ltd. supplied three machines to Intra-State customers and one machine to Inter-State customer.

Vishwanath Ltd. purchased inputs (intra-State) for ₹ 1,20,000 exclusive of GST for supplying the above four machines during the month.

The Balance of ITC at the beginning of February was:

| CGST     | SGST    | IGST     |
|----------|---------|----------|
| ₹ 18,000 | ₹ 4,000 | ₹ 26,000 |

Note:

- (i) Rate of CGST, SGST and IGST to be 9%,9% and 18% respectively for both inward and outward supplies.
- (ii) All the amounts given above are exclusive of GST.
- (iii) All the conditions necessary for availing the ITC have been fulfilled.

Compute the minimum net GST payable in cash by Vishwanath Ltd. for the month of February. **(10 Marks)**

- (b) Veda Ltd. procured the following goods in the month of January, 2024.

| <b>Inward Supplies</b>  | <b>GST (₹)</b> |
|---|----------------|
| (1) Goods used in constructing an additional floor of office building. The cost of construction of additional floor has been capitalized. | 96,200         |

|   |        |
|---|--------|
| (2) Trucks used for transportation of inputs in the factory                         | 11,000 |
| (3) Inputs used in trial runs   | 8,350  |
| (4) Confectionery items for consumption of employees working in the factory         | 4,325  |
| (5) Cement used for making foundation and structural support to plant and machinery | 9,550  |

Note: Depreciation has not been claimed on tax component in case of trucks.

Compute the amount of ITC available with Veda Ltd. for the month of January, 2024 by giving necessary explanations. Assume that all the other conditions necessary for availing ITC have been fulfilled. **(5 Marks)**

2. (a) Determine the place of supply in the following independent cases:-
- (i) Harpreet (New Delhi) boards the New Delhi-Kota train at New Delhi. He sells the goods taken on board by him (at New Delhi), in the train, at Jaipur during the journey.
  - (ii) LP Refineries (Mumbai, Maharashtra) gives a contract to Bhansali Ltd. (Ranchi, Jharkhand) to supply a machine which is required to be assembled in a power plant in its refinery located in Kutch, Gujarat. **(5 Marks)**
- (b) Green Agro Services, a registered person provides the following information relating to its activities during the month of February, 2024:

| Gross Receipts from                                    | (₹)      |
|--|----------|
| Services relating to rearing of goats                  | 3,75,000 |
| Services by way of artificial insemination of horses   | 5,00,000 |
| Processing of sugarcane into jaggery                   | 7,00,000 |
| Milling of paddy into rice                             | 8,00,000 |
| Services by way of warehousing of agricultural produce | 2,25,000 |

All the above receipts are exclusive of GST.

Compute the value of taxable supplies under GST laws for the month of February, 2024. **(5 Marks)**

3. (a) Sheen Ltd. a registered supplier wishes to transport cargo by road between two cities situated at a distance of 372 kilometres. Calculate the validity period of e-way bill under rule 138(10) of the CGST Rules, 2017 for transport of the said cargo, if it is over dimensional cargo or otherwise. **(5 Marks)**
- (b) Apex Cinemas, a registered person engaged in making supply of services by way of admission to exhibition of cinematograph films in multiplex screens was issuing consolidated tax invoice for supplies at the close of each day in terms of section 31(3)(b) of the CGST Act, 2017 read with fourth proviso to rule 46 of the CGST Rules, 2017.

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During the month of February, 2024, the Department raised objection for this practice and asked to issue separate tax invoices for each ticket.

Advise Apex Cinemas for the procedure to be followed in this regard.

**(5 Marks)**

4. (a) Who are not eligible to opt for composition scheme for goods under GST laws? **(5 Marks)**

Or

- (a) Under the GST law, taxes on taxable services supplied by the Central Government or the State Government to a business entity in India are payable by recipient of services".

State the exceptions of the above statement. **(5 Marks)**

- (b) Who can be registered as Goods and Service Tax Practitioners under Section 48 of the CGST Act, 2017? **(5 Marks)**