

Mock Test Paper - Series II: April, 2025

Date of Paper: 01st April, 2025

Time of Paper: 10 A.M. to 1 P.M.

INTERMEDIATE COURSE: GROUP-I

PAPER – 3: TAXATION

SECTION – A: INCOME TAX LAW

SOLUTIONS

Division A – Multiple Choice Questions

MCQ No.	Sub-part	Most Appropriate Answer	MCQ No.	Most Appropriate Answer
1.	(i)	(c)	3.	(a)
	(ii)	(c)	4.	(d)
	(iii)	(b)		
2.	(i)	(d)		
	(ii)	(c)		
	(iii)	(d)		

Division B – Descriptive Questions

1. Computation of total income and tax liability of Mr. Vivek for A.Y. 2025-26

Particulars	₹	₹	₹
Income from house property			
Gross annual value ¹ (₹ 35,000 x 12)		4,20,000	
Less: Municipal taxes paid by Mr. Vivek		<u>8,200</u>	
Net annual value		4,11,800	
Less: Deductions under section 24			
(a) 30% of Net Annual Value		1,23,540	
(b) Interest on house borrowing (allowed in full in case of let out property)		<u>2,01,500</u>	
			86,760

¹ Rent receivable has been taken as the gross annual value in the absence of other information.

Profits and gains of business or profession			
Income from profession			
Fees from legal services		49,60,000	
Less: Expenses allowable as deduction			
- Staff salary and bonus	17,50,000		
- Other general and administrative expenses	22,00,000		
- Office rent	1,48,000		
- Motor car maintenance (₹ 72,000 x 2/3)	48,000		
- Car loan interest – not allowable, since Mr. Vivek follows cash system of accounting and no interest is paid during the previous year)	-	<u>41,46,000</u>	
		8,14,000	
Less: Depreciation u/s 32			
- Motor car ₹ 9,50,000 x 15% x 50% x 2/3, being put to use for less than 180 days	47,500		
- Books being annual publications [₹ 80,000 x 40%]	32,000		
- Computer @40% of ₹ 52,000 x 50%, since the same is put to use for less than 180 days	<u>10,400</u>	<u>89,900</u>	
		7,24,100	
For the P.Y. 2024-25, the gross receipts of Mr. Vivek is ₹ 49,60,000. Since, it does not exceed ₹ 50,00,000, he is eligible to pay tax under presumptive tax scheme under section 44ADA.			
In such case, his professional income would be ₹ 24,80,000, being 50% of ₹ 49,60,000.			
It is more beneficial for Mr. Vivek to declare profit of ₹ 7,24,100 as per books of accounts which is lower than the profits computed on presumptive basis under section 44ADA. However, for declaring lower profits, he has to maintain books of account under section 44AA and get the same audited under section 44AB			

Income from share speculation business	1,20,000		
Less: Loss from commodity speculation business set off against income from share speculation business. Balance loss of ₹ 60,000 from commodity speculation business to be carried forward to A.Y. 2026-27	<u>1,20,000</u>	<u>Nil</u>	7,24,100
Capital Gains			
Long-term capital gains on sale of 5,275 listed shares			
Sale consideration		5,95,000	
Less: Cost of acquisition is higher of		<u>4,22,000</u>	1,73,000
- Cost of acquisition	1,21,800		
- Lower of ₹ 4,22,000 (₹ 80 x 5,275), being fair market value as on 31.1.2018 and ₹ 5,95,000, being full value of consideration on transfer	4,22,000		
Income from other sources			
Cash Gift of ₹ 84,000 i.e., ₹ 21,000 x 4, received from his four friends is taxable u/s 56(2)(x), since aggregate amount of cash gifts exceeds ₹ 50,000			<u>84,000</u>
Gross Total Income			10,67,860
Less: Deductions under Chapter VI-A			
Section 80C			
Life insurance premium	49,000		
Repayment of housing loan	1,80,000		
PPF subscription	<u>1,50,000</u>		
	3,79,000		
Restricted to ₹ 1,50,000		1,50,000	
Section 80G			
Contribution to PM Cares Fund (100% of ₹ 1,21,000) by way of bank draft		1,21,000	
Section 80GGC			
Donation to registered political party made by way of cheque		<u>3,50,000</u>	
			<u>6,21,000</u>
Total Income			<u>4,46,860</u>

Tax liability			
Tax @12.5% under section 112A on long-term capital gains exceeding ₹ 1,25,000 i.e. on ₹ 48,000			6,000
Tax @5% on ₹ 23,860 [₹ 2,73,860 (total income excluding LTCG u/s 112A) - ₹ 2,50,000, being basic exemption limit]			<u>1,193</u>
			7,193
Less: Rebate u/s 87A [Since the total income does not exceed ₹ 5 lakhs, rebate u/s 87A would be available. Rebate u/s 87A is not available on tax on LTCG taxable u/s 112A]			<u>1,193</u>
			6,000
Add: Health and Education cess@4%			<u>240</u>
Tax liability			<u>6,240</u>

- 2 (a) Under section 6(1), an individual is said to be a resident in India in any previous year if he satisfies any one of the following conditions -

- (i) He has been in India during the previous year for a total period of 182 days or more, or
- (ii) He has been in India for at least 60 days in the previous year and during the 4 years immediately preceding the previous year for a total period of 365 days or more.

In case of Indian citizen leaving India for the purpose of employment, the only condition for being a resident in India is to stay in India during the previous year for 182 days or more.

During the previous year 2024-25, Mr. Prabhjot, an Indian citizen, was in India for 175 days only (i.e., 30+31+30+31+31+22 days). Thereafter, he left India for employment purposes.

Since he does not satisfy the minimum criteria of 182 days, he is a non-resident for the A.Y. 2025-26.

As per section 5(2), in case of a non-resident, only the following incomes are chargeable to tax in India:

- (i) Income received or deemed to be received in India; and
- (ii) Income accruing or arising or deemed to accrue or arise in India.

Computation of total income of Mr. Prabhjot for the A.Y. 2025-26

S. No.	Particulars	Amount (₹)
1.	Salary (computed) from company in Australia (Not taxable, since it neither received in India nor accrue or arise in India)	-
2.	Dividend from South African Company received in South Africa (Not taxable, since it neither received in India nor accrue or arise in India)	-
3.	Interest received from South Indian Bank, India (Taxable, since it is deemed to accrue or arise in India)	21,000
4.	Loss from business in South Africa (controlled from India) (Not taxable, since it neither received in India nor accrue or arise in India)	-
5.	Agricultural income from a land in Gujarat [Exempt u/s 10(1)]	-
	Gross Total income	21,000
	Less: Deduction under Chapter VI-A	
	Section 80TTA (Interest on saving bank account upto ₹ 10,000)	10,000
	Total Income	11,000

- (b) (i) As per section 194-IA, if a person (transferor) transfers any immovable property whose consideration for transfer or stamp duty value is not less than ₹ 50 lakh to a person (transferee), then transferee is required to deduct tax at source @1% of consideration for transfer or stamp duty value, whichever is higher.

In case there are multiple transferee or transferor in respect of any immovable property, consideration shall be the aggregate of the amounts paid or payable by all the transferees to the transferor or all the transferors for transfer of such immovable property.

Accordingly, in the present case, Ms. Shashi and Ms. Sujata are required to deduct tax at source @1% on ₹ 75 lakhs, being the amount higher of consideration of ₹ 60 lakhs and stamp duty value of ₹ 75 lakhs.

- (ii) As per section 194R, if any person (other than an individual or HUF whose total sales or gross receipts does not exceed ₹ 1 crore or ₹ 50 lakhs, as the case may be, during the immediately preceding previous year) provides any benefit or perquisite to a resident arising from his

business or profession and the total value of such benefits exceeds ₹ 20,000 in a financial year, then such person is required to deduct tax at source @10% of the total value of the benefit or perquisite. Where the benefit or perquisite is in kind, the person has to ensure before releasing such benefit or perquisite that the tax required to be deducted has been paid in respect of such benefit or perquisite.

In the present case, M/s XYZ Ltd. provided a luxury car worth ₹ 15 lakh to Mr. A, as an incentive which qualifies as a perquisite u/s 194R. Therefore, M/s XYZ Ltd. has to ensure before releasing the car that the tax of ₹ 1,50,000 i.e., 10% of ₹ 15 lakhs has been paid by Mr. A.

3. (a) Computation of capital gains on slump sale of Bawana Unit

Particulars	₹
Full value of consideration [Higher of FMV of capital assets of Bawana unit on 1.4.2024 or FMV of monetary consideration received]	90,00,000
Less: Expenses for transfer	<u>28,000</u>
	89,72,000
Less: Net worth (<i>Refer Note below</i>)	<u>35,92,500</u>
Long-term capital gain [Since the Unit is held for more than 36 months. Indexation benefit is not available in case of slump sale.]	53,79,500

Note:

Computation of net worth of Bawana unit of Amit Enterprises

Particulars	₹	₹
Land (excluding ₹ 9 lakhs on account of revaluation)		27,00,000
Building		9,00,000
Machinery		3,00,000
Other assets		<u>4,50,000</u>
Total assets		43,50,000
Less: Creditors (75% of ₹ 4,50,000)	3,37,500	
Bank Loan (70% of ₹ 6,00,000)	<u>4,20,000</u>	<u>7,57,500</u>
Net worth		35,92,500

- (b) Since Mrs. Anjali is a resident and ordinarily resident in India, her global income would form part of her total income i.e., income earned in India as well as outside India will form part of her total income.

She possesses a self-occupied house at Chicago as well as at Surat. She can take the benefit of "Nil" Annual Value in respect of both the house properties.

As regards the Ranchi house, arrears of rent will be chargeable to tax as income from house property in the year of receipt under section 25A. It is not essential that the assessee should continue to be the owner. 30% of the arrears of rent shall be allowed as deduction as per section 25A(2).

Accordingly, the income from house property of Mrs. Anjali for A.Y.2025-26 will be calculated as under:

Particulars	₹	₹
Self-occupied house at Chicago		
Annual Value	Nil	
Less: Deduction under section 24	<u>Nil</u>	Nil
Self-occupied house property at Surat		
Annual Value	Nil	
Less: Deduction under section 24		
Interest on borrowed capital (<i>Refer note below</i>)	<u>(1,91,940)</u>	(1,91,940)
Arrears in respect of Ranchi property (Section 25A)		
Arrears of rent received	60,000	
Less: Deduction @30% u/s 25A(2)	<u>18,000</u>	<u>42,000</u>
Loss under the head "Income from house property"		(1,49,940)

Note: Interest on borrowed capital

Particulars	₹
Interest for the current year (₹ 50,800 + ₹ 1,31,300)	1,82,100
Add: 1/5th of pre-construction interest (₹ 49,200 x 1/5)	<u>9,840</u>
Interest deduction allowable under section 24	1,91,940

4. (a) **Computation of total income of Mr. Mayank for the A.Y.2025-26 under normal provision of the Act**

Particulars	₹	₹
Income under the head "Salaries"		
Pension	6,60,000	
Less: Standard deduction u/s 16(ia)	<u>50,000</u>	6,10,000
Profits and gains of business or profession		
Income from speculation business	40,000	40,000
Capital gains		
Long-term capital gains from sale of urban land	2,50,000	
Less: Long term capital loss on sale of listed shares on which STT is paid can be set off as per section 74(1), since long-term capital gain arising on sale of such shares is taxable under section 112A	<u>1,10,000</u>	1,40,000
Income from other sources		
Interest from bank on fixed deposit (Gross)	55,000	
Loss from card games can neither be set off against any other income, nor can it be carried forward	Nil	
Income from betting	<u>45,000</u>	<u>1,00,000</u>
Gross total income		8,90,000
Less: Deduction under Chapter VI-A		
Deduction under section 80C		
LIC premium of ₹ 22,500 (restricted to 10% of ₹ 2,00,000, being the sum assured, as the policy is taken after 31.3.2012)	20,000	
Deduction under section 80D		
Premium for health insurance for self and his wife paid by cheque, allowed upto ₹ 50,000 since Mr. Mayank is a senior citizen	26,000	
Deduction under section 80G		
Donation to an approved institution for promoting family planning not allowed since the amount exceeding ₹ 2,000 is paid in cash	Nil	

Deduction under section 80TTB Interest on fixed deposit with bank allowable as deduction upto ₹ 50,000, since Mr. Mayank is a senior citizen	<u>50,000</u>	<u>96,000</u>
Total income		<u>7,94,000</u>

(b)

	Assessee	Authorised person to verify return of income
(i)	Local authority	The principal officer
(ii)	Firm, having no managing partner	Any partner of the firm, not being a minor
(iii)	Foreign Company	<ul style="list-style-type: none">• The managing director of the company (or)• a person who holds a valid power of attorney from such company to do so (such power of attorney should be attached to the return)
(iv)	HUF where the karta is absent from India	Any other adult member of the HUF

OR

(b) The provision of updated return is not applicable, if the updated return of any person for that assessment year

- is a loss return; or
- has the effect of decreasing the total tax liability determined on the basis of return furnished under section 139(1) or section 139(4) or section 139(5); or
- results in refund or increases the refund due on the basis of return furnished under section 139(1) or section 139(4) or section 139(5).

An updated return cannot be furnished by any person for the relevant assessment year, where

- an updated return already been furnished under section 139(8A) for the relevant assessment year; or
- any proceeding for assessment, reassessment, recomputation, or revision of income is pending or has been completed for the relevant assessment year

SECTION B – GOODS AND SERVICES TAX (50 MARKS)

Division A - Multiple Choice Questions

Question No.	Answer
1	(a) The rate of GST on rent and maintenance material related recovery shall be 18%.
2	(c) in the nature of CGST and SGST
3	(a) The amount of ITC related to such procurement of goods is not available to PMC Ltd.
4	(b) 1 st October
5	(a) 30 th September
6	(a) Part B need not be filed in respect of transport of consignment from Godown of Aanya & Co. to transporter location.
7	(b) ₹ 1,00,000
8	(c) 20 th December

Division B - Descriptive Questions

1. (a) Computation of net GST payable in cash

Particulars	Value of supply (₹)	CGST @ 9% (₹)	SGST @ 9% (₹)	IGST @ 18% (₹)
Supply of machinery [Refer Working Note]	15,75,000			2,83,500
Less: ITC available				<u>2,18,000</u>
Net GST payable in cash				65,500

Note: IGST is payable on the inter-State transactions.

Computation of total value of taxable supply made by Amaze Ltd. during the month of March

Particulars	Amount (₹)
List price of the machinery	10,00,000
Subsidy amounting to ₹ 2,10,000 received from the Central Government	Nil

[Since the subsidy is received from the Government, the same is not includible in the value in terms of section 15(2)(e) of the CGST Act, 2017]	
Subsidy received from NGO	2,00,000
[Since the subsidy is received from a non-Government body and directly linked to the supply, the same is includible in the value in terms of section 15(2)(e) of the CGST Act, 2017]	
Tax levied by the Municipal Authority	2,50,000
[Includible in the value as per section 15(2)(a) of the CGST Act, 2017]	
Packing charges	1,25,000
[Being incidental expenses, the same are includible in the value as per section 15(2)(c) of the CGST Act, 2017]	
Total value of taxable supplies	15,75,000

Computation of ITC that can be availed by Amaze Ltd. for the month of March.

	Particulars	ITC (₹)
(i)	Raw Material [ITC not available as raw material is not received in March]	Nil
(ii)	Membership of a club availed for employees working in the factory (not obligatory to be provided under any law) [ITC is blocked in terms of section 17(5) of the CGST Act, 2017]	Nil
(iii)	Inputs to be received in 6 lots, out of which 1 st lot was received during the month [In case of goods received in lots, ITC can be taken only upon receipt of the last lot]	Nil
(iv)	Trucks used for transport of raw material [ITC of GST paid on motor vehicles used for transportation of goods is allowed unconditionally]	1,50,000
(v)	Capital goods [ITC can be availed only on the basis of a valid document (invoice). Thus, GST paid on items for which invoice is missing, i.e. ₹ 2,82,000, is not available.]	68,000
	Total ITC	2,18,000

(b) Computation of value of taxable supply made by Strap Ltd. to Defend Ltd.

Particulars	Amount (₹)
Price of machinery (exclusive of taxes and discounts)	5,50,000
Amount paid by Defend Ltd. directly to the supplier for the part fitted in the machinery [Any amount that the supplier is liable to pay in relation to a supply but which has been incurred by the recipient of the supply and not included in the price actually paid or payable for the goods is includible in the value of supply in terms of section 15(2)(b).]	20,000
Installation and testing charges [Any amount charged for anything done by the supplier in respect of the supply of goods at the time of/before delivery of goods is includible in the value of supply in terms of section 15(2)(c).]	25,000
Less: Discount @ 2% on the price of machinery [₹ 5,50,000 x 2%] [Since discount is given at the time of supply of machinery and recorded in the invoice, the same is deductible from the value of the supply in terms of section 15(3)(a).]	11,000
Less: Additional 1% discount at year end [Though the additional discount is established before/at the time of supply, it is not deductible from the value of supply in terms of section 15(3)(b) as the same is not linked to any specific transaction and is adjusted by the parties at the end of the financial year.]	<u>Nil</u>
Value of taxable supply	5,84,000

2. (a) (i) Schedule I of the CGST Act, 2017, *inter alia*, stipulates that import of services by a taxable person from a related person located outside India, without consideration is treated as supply only if it is provided in the course or furtherance of business. Explanation to section 15 of the CGST Act, 2017, *inter alia*, provides that persons shall be deemed to be “related persons” if they are members of the same family. Further, as per section 2(49), family means, —
- (i) the spouse and children of the person, and
 - (ii) the parents, grand-parents, brothers and sisters of the person if they

are wholly or mainly dependent on the said person.

In the given case, Miss Shanaya has received interior decoration services from her brother. In view of section 2(49)(ii) of the CGST Act, 2017 above, Miss Shanaya and her brother shall be considered to be related as Miss Shanaya's brother is wholly dependent on her.

However, Miss Shanya has taken interior decoration services for her residence and not in course or furtherance of business. Consequently, services provided by Miss Shanya's brother to her would not be treated as supply under section 7 read with Schedule I of the CGST Act, 2017.

- (ii) In the above case, if Miss Shanaya has taken interior decoration services with regard to her business premises, services provided by Miss Shanaya's brother to her would be treated as supply under section 7 read with Schedule I of the CGST Act, 2017, as the same are provided in course or furtherance of business.
 - (b) (i) Services provided by a GTA to an unregistered person, including an unregistered casual taxable person other than, *inter alia*, any partnership firm whether registered or not under any law including association of persons is exempt under GST. Thus, GTA services provided to partnership firm including AOP – whether or not registered under GST law, are liable to tax. Hence, consideration of ₹ 8,000 paid by Taneja & Taneja Co. is taxable under GST.
 - (ii) The services provided by a clinical establishment by way of providing room [other than Intensive Care Unit (ICU)/Critical Care Unit (CCU)/Intensive Cardiac Care Unit (ICCU)/Neo natal Intensive Care Unit (NICU)] having room charges exceeding ₹ 5,000 per day to a person receiving health care services is taxable under GST. Since, in the given case Ameyash Hospital provided services in Sky natal Intensive Care, so the entire amount of ₹ 12,000 charged from Mr. Chaman is exempt under GST law.
3. (a) (i) Section 13(2) of the CGST Act, 2017 stipulates that the time of supply of services shall be the earliest of the following dates, namely:-
- (a) the date of issue of invoice by the supplier, if the invoice is issued within the period prescribed under section 31 or the date of receipt of payment, whichever is earlier; or
 - (b) the date of provision of service, if the invoice is not issued within the period prescribed under section 31 or the date of receipt of payment, whichever is earlier; or

- (c) the date on which the recipient shows the receipt of services in his books of account, in a case where above two cases do not apply.

In this case, neither the invoice has been issued nor the date of provision of service is available. The date of receipt of payment in the books of the supplier is also not available.

Therefore, the time of supply will be the date on which the recipient of service shows receipt of the service in his books of account.

Thus, time of supply will be 4th April, the date on which the Apartment Owners' Association records the receipt of service in its books of account.

- (ii) As per *Notification No. 66/2017 CT dated 15.11.2017*, a registered person (excluding composition supplier and registered persons making supply of specified actionable claims) has to pay GST on the outward supply of goods at the time of supply as specified in section 12(2)(a) of the CGST Act, 2017, i.e. date of issue of invoice or the last date on which invoice ought to have been issued in terms of section 31 of the CGST Act, 2017.

As per section 31(4) of the CGST Act, 2017, in case of continuous supply of goods, where successive statements of accounts or successive payments are involved, the invoice is issued before or at the time of each such statement is issued or, as the case may be, each such payment is received.

Therefore, invoices should be issued for ₹ 2 lakh each on or before July 5, August 5 and September 5, when monthly payments of ₹ 2 lakh are received.

Thus, assuming that the invoice is issued on July 5, August 5 and September 5, the time of supply for the purpose of payment of tax will be July 5, August 5 and September 5 respectively for goods valued at ₹ 2 lakh each.

- (b) (i) Section 24 of the CGST Act, 2017 provides that persons making any inter-State taxable supply of goods are required to obtain registration compulsorily under GST laws irrespective of the quantum of aggregate turnover.

However, as per section 23 of the CGST Act, 2017, an agriculturist, to the extent of supply of produce out of cultivation of land, is not liable to registration.

Sunena is exclusively engaged in cultivation and supply of potatoes. Thus, she is not liable to registration irrespective of the fact that she is engaged in making inter-State supply of goods. Further, Sunena will not be liable to registration, in the given case, even if her turnover exceeds the threshold limit.

- (ii) Section 24 of the CGST Act, 2017 provides that persons who make taxable supply of goods and/or services on behalf of other taxable persons whether as an agent or otherwise are required to obtain registration compulsorily under GST laws irrespective of the quantum of aggregate turnover.

Therefore, Fenil will be mandatorily required to obtain registration.

4. (a) Section 49(3) of the CGST Act, 2017 provides that the amount available in the electronic cash ledger may be used for making any payment towards tax, interest, penalty, fees or any other amount payable under the provisions of this Act or the rules made there under in prescribed manner.

Further, section 49(4) of the CGST Act, 2017 provides that the amount available in the electronic credit ledger may be used for making any payment towards output tax under this Act or under the Integrated Goods and Services Tax Act in prescribed manner.

Accordingly, as per the combined reading of the above provisions, late fees shall be paid only through electronic cash ledger and not possible through electronic credit ledger. Thus, contention of the accountant of M/s SME & Co., is not correct and the above amount shown on the common portal has to be deposited in Electronic Cash Ledger under appropriate minor head, through any of the specified modes.

Or

- (a) The provisions relating to accounts and records required to be maintained under GST are contained in sections 35 and 36 of the CGST Act, 2017.

A true and correct account of following is to be maintained:

- i. production or manufacture of goods;
- ii. inward and outward supply of goods or services or both;
- iii. stock of goods;
- iv. input tax credit availed;
- v. output tax payable and paid

vi. such other particulars as may be prescribed

The Commissioner may notify a class of taxable persons to maintain additional accounts or documents for such purpose as may be specified therein.

Where the Commissioner considers that any class of taxable persons is not in a position to keep and maintain accounts in accordance with the provisions of this section, he may, for reasons to be recorded in writing, permit such class of taxable persons to maintain accounts in such manner as may be prescribed.

- (b) (i) Details of outward supplies which can be furnished using IFF are as follows:
- (a) invoice wise details of inter-State and intra-State supplies made to the registered persons;
 - (b) debit and credit notes, if any, issued during the month for such invoices issued previously.
- (ii) Constitution defines the Goods and Services tax (GST) as a tax on supply of goods or services or both, except supply of alcoholic liquor for human consumption. Therefore, alcohol for human consumption is kept out of GST by way of definition of GST in the Constitution.

Five petroleum products viz. petroleum crude, motor spirit (petrol), high speed diesel, natural gas and aviation turbine fuel have temporarily been kept out of the purview of GST; GST Council shall decide the date from which they shall be included in GST. The erstwhile taxation system (CST/VAT & central excise) still continues in respect of the said commodities.