

Test Series: March, 2021

MOCK TEST PAPER 1
INTERMEDIATE (NEW) COURSE
PAPER – 4: TAXATION

Time Allowed – 3 Hours

Maximum Marks – 100

SECTION – A: INCOME TAX LAW (60 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.2021-22.

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. Ram, an Indian resident, purchased a residential house property at Gwalior on 28.05.1999 for Rs. 28.5 lakhs. The fair market value and the stamp duty value of such house property as on 1.4.2001 was Rs. 33.5 lakhs and Rs. 32.4 lakhs, respectively. On 05.02.2012, Mr. Ram entered into an agreement with Mr. Byomkesh for sale of such property for Rs. 74 lakhs and received an amount of Rs. 3.9 lakhs as advance. However, as Mr. Byomkesh did not pay the balance amount, Mr. Ram forfeited the advance.

On 15.04.2020, Mr. Ram sold the house property for Rs.2.10 crores, when the stamp duty value of the property was Rs. 2.33 crores. Further, he purchased two residential house properties at Delhi and Mumbai for Rs. 54 lakhs each on 28.08.2020.

On 28.02.2021, Mr. Ram decided to sell the house property at Mumbai to his nephew, Mr. Vaibhav, for Rs. 58 lakhs, from whom Rs. 19,000 was received in cash on 15.01.2021 as advance for signing the agreement to sale. Sale deed was registered on 30.03.2021 on receipt of the balance amount through account payee cheque from Mr. Vaibhav. The stamp duty value of house property at Mumbai on 28.02.2021 and 30.03.2021 was Rs. 61 lakhs and Rs. 64 lakhs, respectively.

Cost inflation index –

P.Y. 2020-21: 301; P.Y. 2011-12: 184; P.Y. 2001-02: 100

Based on the above information, choose the most appropriate option of the following Multiple Choice Questions (MCQs):-

- (i) What shall be the indexed cost of acquisition of residential house property at Gwalior for computation of capital gains in the hands of Mr. Ram?
- (a) Rs. 1,00,83,500
(b) Rs. 97,52,400
(c) Rs. 85,78,500
(d) Rs. 89,09,600
- (ii) The amount of capital gains taxable for A.Y. 2021-22 in the hands of Mr. Ram for sale of residential house property at Gwalior is -
- (a) Rs. 39,21,500
(b) Rs. 93,21,500
(c) Rs. 35,90,400

- (d) Rs. 24,16,500
- (iii) The amount of capital gains taxable for A.Y. 2021-22 in the hands of Mr. Ram for sale of residential house property at Mumbai is -
- (a) Rs. 3 lakhs
(b) Rs. 6 lakhs
(c) Rs. 61 lakhs
(d) Rs. 64 lakhs
- (iv) The amount taxable under section 56(2)(x) in the hands of Mr. Vaibhav, if any, is -
- (a) Rs. 3 lakhs
(b) Nil
(c) Rs. 6 lakhs
(d) Rs. 5.50 lakhs
- (v) What shall be the total tax credit available with Mr. Ram with respect to sale of two house properties during P.Y. 2020-21 assuming the tax was fully deducted by both the buyers at the time of payment?
- (a) Rs. 2,01,000
(b) Rs. 2,53,500
(c) Rs. 2,68,000
(d) Rs. 2,81,000
- (5 x 2 Marks)**
2. TPR & Co., a partnership firm selling its product X through the digital facility provided by MKY Limited (an E-commerce operator). MKY Limited has credited in its books of account, the account of TPR & Co. on 31st January, 2021 by sum of Rs. 4,80,000 for the sale of product X made during the month of January 2021. Out of Rs. 4,80,000, it made payment for Rs. 4,00,300 on 3rd February, 2021. Further, Mr. Pawan, who purchased the product X through the facility provided by MKY Limited, has made the payment of sum of Rs. 40,000 directly to TPR & Co. on 15th January, 2021. Which statement is correct regarding requirement of deduction of tax at source by MKY Limited?
- (a) No tax is required to be deducted at source.
(b) MKY Limited is required to deduct tax at source Rs. 4,800 under section 194C.
(c) MKY Limited is required to deduct tax at source Rs. 3,900 under section 194O.
(d) MKY Limited is required to deduct tax at source Rs. 5,200 under section 194O. **(2 Marks)**
3. Mr. Harry, an Indian citizen, is a marketing consultant who provides consultancy to various countries around the globe. Due to his profession, he is required to travel across various countries throughout the year. His marketing project does not last for more than 40 days and therefore his stay in any country including India usually never exceeds 40 days during a year. His income is Rs. 80 lakhs across the globe which is not liable to tax in any country. During the P.Y. 2020-21, an Indian company provides him a marketing project in India. His stay in India for the project is expected to be only 25 days and his income from that project would be Rs. 30 lakhs. Being a highly qualified professional, he consults you about the tax regime on his income and his residential status in India.
- (a) He shall be treated as resident but not ordinarily resident and shall be liable to pay tax on Rs. 30 lakhs.
(b) He shall be treated as resident and ordinarily resident and shall be liable to pay tax on Rs. 80 lakhs.
(c) He shall be treated as non-resident and shall not be liable to any tax.

- (d) He shall be treated as resident but not ordinarily resident and shall be liable to pay tax on his entire income of Rs. 80 lakhs earned across the globe. **(2 Marks)**
4. Mr. Vyas, aged 80, is a retired government employee. On 1st April 2020, he received the maturity amount of his LIC policy amounting to Rs. 3,50,000. This policy was taken by Mr. Vyas on 1st April 2013 on which the sum assured was Rs. 3,00,000 and the annual premium was Rs. 40,000. His other income comprised of pension amounting to Rs. 85,000. Mr. Vyas furnishes a declaration in Form 15H for non-deduction of tax at source to the insurance company stating that his net tax liability for the year is NIL.
- Choose the correct statement from below:
- (a) The declaration made by Mr. Vyas is wrong and the insurance company has to deduct tax of Rs. 3,500 under section 194DA.
- (b) The claim by Vyas is right and insurance company is not required to deduct tax at source.
- (c) The insurance company has to deduct tax under section 194DA since declaration in Form 15H cannot be made for tax deduction under section 194DA.
- (d) The declaration made by Mr. Vyas is wrong and the insurance company has to deduct tax of Rs. 1,000 under section 194DA. **(2 Marks)**
5. During the A.Y. 2021-22, Mr. Kabir has a loss of Rs. 6 lakhs under the head "Income from house property", loss of Rs. 5 lakhs from business of profession and income of Rs. 3 lakhs from long term capital gains. He filed his return of income for the A.Y. 2021-22 on 31.12.2021. Determine the total income of Mr. Kabir for A.Y. 2021-22 and the amount of loss which can be carried forward in a manner most beneficial to him?
- (a) Total income Nil; loss of Rs. 4,00,000 from house property and loss of Rs. 4,00,000 from business or profession
- (b) Total income Rs. 1,00,000; loss of Rs. 4,00,000 from house property.
- (c) Total income Nil; No loss is allowed to be carried forward.
- (d) Total income Nil; loss of Rs. 6,00,000 from house property. **(2 Marks)**

Division B – Descriptive Questions

Question No. 1 is compulsory

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

1. You are required to compute the total income and tax payable by Mr. Alok, aged 58 years, a resident individual. Mr. Alok is an advocate and furnishes you the receipts and payments account for the financial year 2020-21.

Receipts and Payments Account

Receipts	Rs.	Payments	Rs.
Opening Balance (01-04-2020)		Staff salary and bonus to clerks	17,50,000
Cash & Bank	80,000	Other general and administrative expenses	22,00,000
Fee from legal services	49,60,000	Office rent	1,48,000
Motor car loan from SBI @12% p.a. interest	5,00,000	Life Insurance Premium (Sum Assured Rs. 5,00,000]	49,000
Sale receipts of 5,800 listed equity shares (sold on 31 st March 2021)	5,95,000	Motor car (Acquired in January 2021 by way of NEFT)	9,50,000

The details of his travel outside India for the financial year 2020-21 are as under:

Country	Period of stay
USA	25 August, 2020 to 10 November, 2020
UK	20 November, 2020 to 23 December, 2020
Germany	10 January, 2021 to 24 March, 2021

During the last four years preceding the previous year 2020-21, he was present in India for 380 days. During the last seven previous years preceding the previous year 2020-21, he was present in India for 700 days. During the P.Y. 2020-21, he earned the following incomes:

- (1) Salary Rs. 15,80,000. The entire salary is paid by the Indian company in his Indian bank account.
 - (2) Dividend amounting to Rs. 48,000 received from Treat Ltd., a Singapore based company, which was transferred to his bank account in Singapore.
 - (3) Interest on fixed deposit with Punjab National Bank (Delhi) amounting to Rs. 10,500 was credited to his saving account. **(7 Marks)**
- (b) Determine the advance tax payable by Mr. Deepak with their due dates for the assessment year 2021-22.

	Amount (Rs.)
Total estimated tax payable	5,50,000
TDS (deductible but not deducted)	70,000
TCS (collected)	20,000

(3 Marks)

- (c) Mr. Praveen, due to inadvertent reasons, failed to file his income-tax return for the assessment year 2021-22 on or before the due date of filing such return of income.
- (i) Can he file the above return after due date of filing return of income? If yes, which is the last date for filing the above return?
 - (ii) What are the consequences of non-filing the return within the due date under section 139(1)? **(4 Marks)**
3. (a) Mr. Naveen and Mr. Vikas constructed their houses on a piece of land purchased by them at Delhi. The built up area of each house was 1,800 sq. ft. ground floor and an equal area in the first floor. Naveen started construction on 1-04-2018 and completed on 1-04-2020. Vikas started the construction on 1-04-2018 and completed the construction on 30-09-2020. Naveen occupied the entire house on 01-04-2020. Vikas occupied the ground floor on 01-10-2020 and let out the first floor for a rent of Rs.20,000 per month. However, the tenant vacated the house on 31-12-2020 and Vikas occupied the entire house during the period 01-01-2021 to 31-03-2021.

Following are the other information

- | | |
|---|---|
| (i) Fair rental value of each unit
(ground floor /first floor) | Rs. 1,00,000 per annum |
| (ii) Municipal value of each unit (ground floor / first floor) | Rs. 72,000 per annum |
| (iii) Municipal taxes paid by | Naveen – Rs. 8,000
Vikas – Rs. 8,000 |
| (iv) Repair and maintenance charges paid by | Naveen – Rs. 28,000
Vikas – Rs. 30,000 |

Naveen has availed a housing loan of Rs. 15 lakhs @ 12% p.a. on 01-04-2018. Vikas has availed a housing loan of Rs. 10 lakhs @ 10% p.a. on 01-07-2018. No repayment was made by either of them till 31-03-2021. Compute income from house property for Naveen and Vikas for the previous year 2020-21. **(7 Marks)**

- (b) Mr. Samaksh is a Marketing Manager in Smile Ltd. From the following information, you are required to compute his income chargeable under the head Salary for assessment year 2021-22.
- (i) Basic salary is Rs. 70,000 per month.
 - (ii) Dearness allowance @ 40% of basic salary
 - (iii) He is provided health insurance scheme approved by IRDA for which Rs. 20,000 incurred by Smile Ltd.
 - (iv) Received Rs. 10,000 as gift voucher on the occasion of his marriage anniversary from Smile Ltd.
 - (v) Smile Ltd. allotted 800 sweat equity shares in August 2020. The shares were allotted at Rs. 450 per share and the fair market value on the date of exercising the option by Mr. Samaksh was Rs. 700 per share.
 - (vi) He was provided with furniture during September 2016. The furniture is used at his residence for personal purpose. The actual cost of the furniture was Rs. 1,10,000. On 31st March, 2021, the company offered the furniture to him at free of cost. No amount was recovered from him towards the furniture till date.
 - (vii) Received Rs. 10,000 towards entertainment allowance.
 - (viii) Housing Loan@ 4.5% p.a. provided by Smile Ltd., amount outstanding as on 01.04.2020 is Rs. 12 Lakhs. Rs. 50,000 is paid by Mr. Samaksh every quarter towards principal starting from June 2020. The lending rate of SBI for similar loan as on 01.04.2020 was 8%.
 - (ix) Facility of laptop costing Rs. 50,000 **(7 Marks)**

4. (a) Compute the gross total income of Mr. Farhan and show the items eligible for carry forward and the assessment years upto which such losses can be carry forward from the following information furnished by him for the year ended 31-03-2021:

Particulars	Amount (Rs.)
Loss from speculative business MNO	12,000
Income from speculative business BPO	25,000
Loss from specified business covered under section 35AD	45,000
Income from salary (computed)	4,18,000
Loss from house property	2,20,000
Income from trading business	2,80,000
Long-term capital gain from sale of urban land	2,05,000
Long-term capital loss on sale of equity shares (STT not paid)	85,000
Long-term capital loss on sale of listed equity shares in recognized stock exchange (STT paid at the time of acquisition and sale of shares)	1,10,000
Short-term capital loss under section 111A	85,000

Following are the brought forward losses:

- (1) Brought forward loss from speculative business MNO Rs. 18,000 relating to A.Y. 2017-18.
- (2) Brought forward loss from trading business of Rs. 12,000 relating to A.Y. 2015-16.

(3) Unabsorbed depreciation Rs. 1,00,000 relating to A.Y. 2020-21

Assume Mr. Farhan has furnished his return of income on or before the due date specified under section 139(1) in all the above previous years. **(7 Marks)**

(b) Compute the deduction available to Mr. Dhyanchand under Chapter VI-A for A.Y.2021-22. Mr. Dhyanchand, aged 65 years, is working with ABC Ltd. His income comprises of salary of Rs. 18,50,000 and interest on fixed deposits of Rs. 75,000. He submits the following particulars of investments and payments made by him during the previous year 2020-21:

- Deposit of Rs. 1,50,000 in public provident fund
- Payment of life insurance premium of Rs. 62,000 on the policy taken on 01.4.2017 to insure his life (Sum assured – Rs. 4,00,000).
- Deposit of Rs. 45,000 in a five year term deposit with bank.
- Contributed Rs. 2,10,000, being 15% of his salary (basic salary plus dearness allowance, which forms part of retirement benefits) to the NPS of the Central Government. A matching contribution was made by ABC Ltd.
- On 1.4.2020, mediclaim premium of Rs. 1,08,000 and Rs. 80,000 paid as lumpsum to insure his and his wife (aged 58 years) health, respectively for four years
- Incurred Rs. 46,000 towards medical expenditure of his father, aged 85 years, not dependent on him. No insurance policy taken for his father.
- He spent Rs. 6,000 for the preventive health-check up of his wife.
- He has incurred an expenditure of Rs. 90,000 for the medical treatment of his mother, being a person with severe disability. **(7 Marks)**

SECTION B - INDIRECT TAXES (40 MARKS) NEW COURSE

QUESTIONS

- (i) Working Notes should form part of the answers. However, in answers to Question in Division A, working notes are not required.
- (ii) Wherever necessary, suitable assumptions may be made by the candidates, and disclosed by way of note.
- (iii) All questions should be answered on the basis of the position of GST law as amended up to 31st October, 2020.
- (iv) The GST rates for goods and services mentioned in various questions are hypothetical and may not necessarily be the actual rates leviable on those goods and services. Further, GST compensation cess should be ignored in all the questions, wherever applicable.

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: 12 Marks

Each MCQ under Question No. 1 carries 2 Marks each

1. Explore Logistics, a Goods Transport Agency registered under GST provided GTA services (taxable @ 5%) to the following persons-
 - (a) Sahil Traders, an unregistered Partnership firm.
 - (b) Mr. Aadi, a casual taxable person, who is not registered under GST.
 - (c) Small Traders co-operative society registered under Societies Registration Act.

In a particular consignment, Explore Logistics transported the following-

- (a) Defence Equipments
- (b) Railway Equipments
- (c) Organic Manure

Explore Logistics opted to charge GST @ 12% from October. It provided GTA Services to Mahajan Steels Pvt. Ltd. on 1st October and issued an invoice dated 5th November. Payment was received on 6th November.

It provided both inter-State and intra-State service to various registered as well as unregistered persons.

Based on the information provided above, choose the most appropriate answer for the following questions 1.1 to 1.5-

- 1.1 Which of the following persons are liable to pay GST on reverse charge in respect of the GTA services (taxable @ 5%) provided by Explore Logistics
 - i Sahil Traders
 - ii Mr. Aadi
 - iii Small Traders Co-operative society
 - (a) i & ii
 - (b) ii & iii
 - (c) i & iii

- (d) i, ii & iii
- 1.2 Out of items transported by Explore Logistics, which of the following is/ are exempt from GST?
- Defence Equipments
 - Railway Equipments
 - Organic Manure
- (a) i
(b) i & ii
(c) i & iii
(d) i, ii & iii
- 1.3 What will be the time of supply in respect of the services provided by Explore Logistics to Mahajan Steels Pvt. Ltd.?
- (a) 6th November
(b) 5th November
(c) 30th November
(d) 1st October
- 1.4 Which of the following statements is correct in respect of services provided by Explore Logistics to Mahajan Steels Pvt. Ltd.
- (a) Mahajan Steels Pvt. Ltd. is liable to pay GST
(b) Explore Logistics is liable to pay GST
(c) Service provided by Explore Logistics to Mahajan Steels Pvt. Ltd. is exempt under GST
(d) Mahajan Steels Pvt. Ltd. is liable to pay 50% GST and remaining 50% will be paid by Explore Logistics
- 1.5 In respect of which of the following supplies, Explore Logistics has to provide invoice-wise details in GSTR-1?
- Inter-State supplies to registered person with invoice value not exceeding Rs. 2,50,000
 - Inter-State supplies to unregistered person with invoice value not exceeding Rs. 2,50,000
 - Inter-State supplies to unregistered person with invoice value exceeding Rs. 2,50,000
 - Intra-State supplies to registered person with invoice value not exceeding Rs. 2,50,000
- (a) i & iv
(b) i & ii
(c) ii & iii
(d) i, iii & iv
- (5 x 2 Marks = 10 Marks)**
2. Lovely & Co., a registered person, supplies taxable goods to unregistered persons. It need not issue tax invoice for the goods supplied on 16th April, if the value of the goods is _____ and the recipient does not require such invoice.
- (a) Rs. 1,200
(b) Rs. 600
(c) Rs. 150
(d) Rs. 200
- (2 Marks)**

Division B - Descriptive Questions

Question No. 1 is compulsory.

Attempt any two questions out of remaining three questions.

Total Marks: 28 Marks

1. Bunty Pvt. Ltd., a supplier of goods, pays GST under regular scheme. It has made the following outward taxable supplies in a tax period:

Particulars	Amount (Rs.)
Intra-State supply of goods	11,20,000
Inter-State supply of goods	4,20,000

It has also furnished the following information in respect of purchases made by it in that tax period:

Particulars	Amount (Rs.)
Intra-State purchases of goods	2,80,000
Inter-State purchases of goods	70,000

The company has following ITCs with it at the beginning of the tax period:

Particulars	Amount (Rs.)
CGST	79,800
SGST	Nil
IGST	98,000

Note:

- (i) Rates of CGST, SGST and IGST are 9%, 9% and 18% respectively.
- (ii) Both inward and outward supplies are exclusive of taxes, wherever applicable.
- (iii) All the conditions necessary for availing the ITC have been fulfilled.

Compute the minimum GST, payable in cash, by Bunty Pvt. Ltd. for the tax period. Make suitable assumptions as required. **(8 Marks)**

2. (a) Hangover Ltd., Delhi, a registered supplier, is manufacturing taxable goods. It provides the following details of taxable inter-State supply made by it during the month of March:-

S. No.	Particulars	Amount (Rs.)
(i)	List price of taxable goods supplied inter-State (exclusive of taxes)	24,00,000
(ii)	Subsidy received from the Central Government for supply of taxable goods to Government School (exclusively related to supply of goods included at S. No. 1)	3,36,000
(iii)	Subsidy received from an NGO for supply of taxable goods to an old age home (exclusively related to supply of goods included at S. No. 1)	80,000
(iv)	Tax levied by Municipal Authority	32,000
(v)	Packing charges	24,000
(vi)	Late fee paid by the recipient of supply for delayed payment of consideration (Recipient has agreed to pay Rs. 9,600 in lump sum and no additional amount is payable by him)	9,600

The list price of the goods is net of the two subsidies received. However, the other charges/taxes/fee are charged to the customers over and above the list price.

Calculate the total value of taxable supplies made by Hangover Ltd. during the month of March. Rate of IGST is 18%. **(6 Marks)**

- (b) M/s Shubhank Associates, a partnership firm, provided recovery agent services to Neelkanth Credits Ltd., a non-banking financial company and a registered supplier, on 15th January. Invoice for the same was issued on 7th February and the payment was made on 18th April by Neelkanth Credits Ltd. Bank account of the company was debited on 20th April.

Determine the following:

- (i) Person liable to pay GST
(ii) Time of supply of service **(4 Marks)**

3. (a) Fair Oils, Delhi has supplied machine oil and high-speed diesel in the month of April as per the details given in table below. Fair Oils is not yet registered.

Sl. No.	Particulars	Amount (Rs.)*
(i)	Supply of machine oil in Delhi	9,00,000
(ii)	Supply of high speed diesel in Delhi	18,00,000
(iii)	Supply of machine oil made in Punjab by Fair Oils from its branch located in Punjab	12,00,000

*excluding GST

Determine whether Fair Oils is liable for registration. **(6 Marks)**

- (b) Narayan Singh, a registered supplier, has received advance payment with respect to services to be supplied to Shelly. His accountant asked him to issue the receipt voucher with respect to such services to be supplied. However, he is apprehensive as to what would happen in case a receipt voucher is issued, but subsequently no services are supplied. You are required to advise Narayan Singh regarding the same. **(4 Marks)**
4. (a) Briefly explain the levability of GST or otherwise on petroleum crude, diesel, petrol, Aviation Turbine Fuel (ATF) and natural gas. **(5 Marks)**
- (b) If a return has been filed, how can it be revised if some changes are required to be made? **(5 Marks)**