

Name:	 UPES UNIVERSITY WITH A PURPOSE
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2019

Course: International Taxation
Program: Integrated B. Com (LLB) 2015-20
Course Code: LLBL486

Semester: IX
Time: 03 hrs.
Max. Marks: 100

Instructions: Attempt all questions

S. No.	SECTION A- Objective type / Short Answer (5* 2 marks = 10 marks)	Marks	CO
Q 1	Will GAAR be invoked if SAAR applies?	2	CO2
Q 2	Situation- Conflict between provisions of Income Tax Act and DTAA. Herein the provisions of Income Tax Act are more beneficial to the assessee. Can Assessee claim Act benefit? Also state the provision of Income Tax Act, 1961 which states the same.	2	CO1
Q 3	Can a resident (PSU) make an application to the Authority of Advance Ruling, referring to an issue which is pending before Income Tax Authority or Appellate Tribunal?	2	CO4
Q 4	What is the Composition of AAR?	2	CO3
Q 5	For the purpose of equalization levy, what is the meaning of “specified service”?	2	CO2

SECTION B- Short answer type Conceptual questions (2* 10 marks= 20 marks)

Q 1	What is the Implication of GAAR implementation?	10	CO2
Q 2	Difference between Tax Avoidance and Tax Evasion?	10	CO1

SECTION-C- Analytical questions (2* 10 Marks= 20 marks)

Q 1	Analyze the types, benefits and procedure of Advance Pricing Agreement (APA).	10	CO3
Q 2	Appreciate the concept of Controlled Foreign Corporations (CFC’s). Also analyze the need and components of CFC regulations.	10	CO4

SECTION-D- Application based/ Case study (2* 25 marks= 50 marks)

Q 1	<p>ABC Inc., a Swedish company headquartered at Stockholm, not having a permanent establishment in India, has set up a liaison office in Mumbai in April, 2018 in compliance with RBI guidelines to look after its day to day business operations in India, spread awareness about the company's products and explore further opportunities. The liaison office takes decisions relating to day to day routine operations and performs support functions that are preparatory and auxiliary in nature. The significant management and commercial decisions are, however, in substance made by the Board of Director at Sweden.</p> <p>Determine the residential status of ABC Inc. for A.Y.2019-20</p>	25	CO2														
Q 2	<p>The following are the particulars of income earned by Ms. Sunita, a resident Indian aged 25, for the assessment year 2019-20:</p> <table border="1" data-bbox="203 747 1292 1121"> <thead> <tr> <th>Particulars</th> <th>Amount in Rs.</th> </tr> </thead> <tbody> <tr> <td>Income from playing basketball match in Netherland</td> <td>12,00,000</td> </tr> <tr> <td>Tax paid in Netherland</td> <td>1,80,000</td> </tr> <tr> <td>Income from playing basketball match in India</td> <td>19,20,000</td> </tr> <tr> <td>Life insurance premium paid</td> <td>1,20,000</td> </tr> <tr> <td>Medical Insurance Premium paid through net banking for her father aged 62 years</td> <td>25,000</td> </tr> </tbody> </table> <p>(i) Explain Section 91 of Income Tax Act, 1961 (ii) Compute her total income and tax liability for the assessment year 2019-20. Assume there is no Double Taxation Avoidance Agreement between India and Netherland.</p>	Particulars	Amount in Rs.	Income from playing basketball match in Netherland	12,00,000	Tax paid in Netherland	1,80,000	Income from playing basketball match in India	19,20,000	Life insurance premium paid	1,20,000	Medical Insurance Premium paid through net banking for her father aged 62 years	25,000	<table border="1" data-bbox="1321 932 1421 1010"> <tr> <td>i- 5</td> </tr> <tr> <td>ii- 20</td> </tr> </table>	i- 5	ii- 20	CO4
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