



UNIVERSITY OF PETROLEUM AND ENERGY
STUDIES

End Semester Examination, December 2021

Course: Tax Practice and Filing of Returns
Program: INT-BCOM-LLB-TL

Course Code: CLTX 5002

Semester : IX

Duration : 03 hrs.

Max. Marks: 100

Instructions:

SECTION A
(Type the answers in test box)

Objective Type Questions/Definitions/fill in the blanks

5Qx2M=10 Marks

Q. No.		Marks	CO
1	Specify the persons who are authorized to verify the return of income u/s 140 of Income Tax Act 1961 in the following cases: a. Private Limited Company- _____ b. Partnership Firm- _____ c. Society- _____ d. Individual- _____	2	CO1
2	Calculate interest and late fees, wherever applicable, under GST in the following cases :- a. Mr Ashish filed GSTR 1 of May 2021 on 14.07.2021. Ashish is required to filed monthly GSTR 1. b. Miss Sanjana filed CMP 08 of Quarter 2 of FY 2020-21 on 18.11.2020. CGST and SGST liability in Quarter 2 is Rs 50,000 each.	2	CO2
3	a. The Return of Income u/s 139 for individual having income from profits and gains of business and profession should be filed through ITR Form No _____ b. The Return of Income u/s 139 for individual not having income from profits and gains of business and profession should be filed through ITR Form No _____	2	CO1
4	What will be the late fees u/s 234 F of Income Tax Act 1961 for the FY 2020-21 in the following cases – a. Individual having Net Taxable Income of Rs 10,30,000 and return is filed on 25.12.2021.	2	CO1

	b. Partnership Firm covered under section 44AB, having Net Taxable Income of Rs. 9,00,000 and return is filed on 10.12.2021. Note: You are required to attempt the question as per the dates mentioned in law. Ignore the dates extended by government from time to time with respect to FY 2020-21.		
5	What is the penalty for non-filing or delay in filing of income tax audit report under Income Tax Act 1961?	2	CO4
SECTION B <i>(Scan and upload)</i>			
(Conceptual based question)		4Q x5M=20 Marks	
Q. No.		Marks	
1	Explain in what cases, assessment order passed by proper officer may be withdrawn under CGST Act, 2017.	5	CO3
2	Discuss briefly the time limit for issue of show cause notice as contained under section 73 and 74 of CGST Act, 2017.	5	CO4
3	Explain briefly the concept of Belated return and Revised return under Income Tax Act 1961.	5	CO1
4	Which type of taxpayers need to file annual return under section 44 of CGST Act? Enumerate.	5	CO2
SECTION-C <i>(Scan and upload)</i>			
(Descriptive/ Analytical Questions)		2Qx10M =20 Marks	
Q.No.		Marks	CO
1	Briefly discuss the modes of recovery of tax available to the proper officer under CGST Act?	10	CO4
2	Notice under section 148 of Income Tax Act 1961 is issued to all those persons where income has escaped assessment. You are required to briefly explain the time limit for issue of notice as discussed in section 149 under three different scenario as mentioned therein.	10	CO3
SECTION-D <i>(Scan and upload)</i>			
(Case Studies/ Application Based Questions)		2Qx25M =50 Marks	
Q.No.		Marks	CO
1	Suresh & Sons has entered into a contract to supply a consignment of certain taxable goods. However, since it is unable to determine the value of the goods to be supplied by it, it applies for payment of tax on such goods on a provisional basis along with the required documents in support of its request.	25	CO 3

	<p>On 12th January, the Assistant Commissioner of Central Tax issues an order allowing payment of tax on provisional basis indicating the value on the basis of which the assessment is allowed on provisional basis and the amount for which the bond is to be executed and security is to be furnished.</p> <p>Suresh & Sons complies with the same and supplies the goods on 25th January thereafter paying the tax on provisional basis in respect of said consignment on 19th February.</p> <p>Consequent to the final assessment order passed by the Assistant Commissioner of Central Tax on 21st March, a tax of Rs. 1,80,000 becomes due on the consignment.</p> <p>Suresh & Sons pays the tax due on 9th April. Determine the interest payable, if any, by Suresh & Sons in the above case.</p> <p>Assuming all the other facts remaining the same, if consequent to the final assessment order passed on 21st March, a tax of Rs. 4,20,000 becomes refundable on the consignment, refund of which is applied by Suresh & Sons on 9th April and tax was refunded to it on 05th June, determine the interest receivable, if any, by Suresh & Sons in the given case.</p> <p style="text-align: center;">OR</p> <p>Examine the implications as regards the bailability and quantum of punishment on prosecution, in respect of the following cases pertaining to the month of December under CGST Act, 2017-</p> <p>(i) 'Ajay' collects Rs 245 lakh as tax from its clients and deposits Rs 241 lakh with the Central Government. It is found that he has falsified financial records and has not maintained proper records.</p> <p>(ii) 'Mohan' collects Rs 550 lakh as tax from its clients but deposits only Rs 30 lakh with the Central Government.</p> <p>What will be the implications with regard to punishment on prosecution of 'Ajay' and 'Mohan' for the offences?</p> <p>What would be the position, if 'Ajay' and 'Mohan' repeat the offences?</p> <p>It may be assumed that offences are proved in the Court.</p>		
2	<p>Mr Sanjay is running a business by the Trade Name of Sanjay Enterprises. His turnover during the FY 2020-21 was Rs. 1.85 crore. All the sales amount was received by him through online mode of payment. Actual profit was Rs. 9,10,000. You are required to advise him on the following points:</p> <p>a. He has maintained proper books of accounts and he wants to show actual profit of Rs 9.10 lakh as Income Under The Head Business and Profession. Can he do the same and if yes, then in what manner?</p> <p>b. He does not want to maintain books of accounts and is ready to offer higher profit from business as compared to actual profit of Rs 9.10 lakh. Can he do the same as per Income Tax Act 1961 and if yes, then in what manner?</p>	25	CO 4

Further Calculate the amount of Income Tax payable in both the above cases assuming he has made following investments-

- i. LIC = Rs. 1,10,000
- ii. Tax Saver Fixed Deposit = Rs. 70,000