

MOCK TEST PAPER 2
INTERMEDIATE (NEW) COURSE
PAPER – 4: 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) | (d) | 2. | (b) |
| | (ii) | (d) | 3. | (b) |
| | (iii) | (a) | 4. | (c) |
| | (iv) | (b) | 5. | (d) |
| | (v) | (c) | 6. | (c) |

Division B – Descriptive Questions

1. **Computation of total income of Mr. Josh for the A.Y.2021-22**

| Particulars | Rs. | Rs. |
|---|-----------------|----------|
| Salaries | | |
| Basic Salary = Rs. 51,000 x 12 | 6,12,000 | |
| Dearness Allowance (DA) = Rs. 10,000 x 12 | 1,20,000 | |
| House Rent Allowance (HRA) = Rs. 4,000 x 12 Rs. 48,000 | Rs. 48,000 | |
| Less: Least of the following exempt u/s 10(13A) <u>Rs. 10,800</u> | 37,200 | |
| (i) HRA actually received = Rs. 4,000 x 12 = Rs. 48,000 | | |
| (ii) Rent paid (-) 10% of salary [Rs. 84,000 (i.e., Rs. 7,000 x 12) (-) Rs. 73,200 (10% of salary i.e., 10% of Rs. 7,32,000 (Basic Salary + DA))] = Rs. 10,800 | | |
| (iii) 50% of salary [50% of Rs. 7,32,000 (Basic Salary + DA)] = Rs. 3,66,000 | | |
| Gross Salary | 7,69,200 | |
| Less: Standard deduction u/s 16(ia) | 50,000 | |
| | | 7,19,200 |
| Income from house property | | |
| Gross Annual Value [Rs. 46,000 x 9, being the higher of actual rent received and fair rent] | 4,14,000 | |
| Less: Municipal tax paid during the P.Y. 2020-21 | <u>27,000</u> | |
| Net Annual Value | 3,87,000 | |
| Less: Deduction u/s 24 [30% of Net Annual Value] | <u>1,16,100</u> | |
| | | 2,70,900 |

| | | |
|---|-----------------|-------------------------|
| Capital Gains | | |
| Full value of consideration | 2,00,000 | |
| Less: Cost of acquisition of bonus shares allotted on or after 1.4.2001 | <u>Nil</u> | |
| Long-term capital gains (since bonus shares are held for a period of more than 24 months) | | 2,00,000 |
| Income from Other Sources | | |
| Dividend received from ABC Ltd., an Indian company | 9,00,000 | |
| Less: Exempt under section 10(34), since dividend distribution tax has been paid on such dividend | <u>9,00,000</u> | |
| | | Nil |
| Interest from saving bank account with SBI Bank | 15,000 | |
| Lottery winnings [21,000 x 100/70] | <u>30,000</u> | |
| | | <u>45,000</u> |
| Gross Total Income | | 12,35,100 |
| Less: Deduction under Chapter VI-A | | |
| Section 80C | | |
| Deposits in PPF | 1,50,000 | |
| Section 80D | | |
| Medical insurance premium for wife and dependent son Rs. 31,000, restricted to | 25,000 | |
| Section 80TTA | | |
| Interest on saving bank account with SBI | <u>10,000</u> | |
| | | <u>1,85,000</u> |
| Total Income | | <u>10,50,100</u> |

Computation of tax liability of Mr. Josh for A.Y. 2021-22

| Particulars | Rs. | Rs. |
|--|---------------|----------------------|
| Tax on total income of Rs. 10,50,100 | | |
| Tax on long-term capital gains of Rs. 2,00,000@20% u/s 112 | 40,000 | |
| Tax on lottery income of Rs. 30,000 @30% u/s 115BB | 9,000 | |
| Tax on other income of Rs. 8,20,100 [Rs. 10,50,100 – Rs. 2,00,000, capital gains – Rs. 30,000, lottery income] | | |
| Upto Rs. 2,50,000 | Nil | |
| Rs. 2,50,001 – Rs. 5,00,000 [i.e., Rs. 2,50,000@5%] | 12,500 | |
| Rs. 5,00,001 – Rs. 8,20,100 [i.e., Rs. 3,20,100@20%] | <u>64,020</u> | |
| | | 1,25,520 |
| Add: Health and education cess@4% | | <u>5,021</u> |
| Tax liability | | 1,30,541 |
| Less: Tax deducted at source | | |
| TDS on lottery income | 9,000 | |
| TDS on rent u/s 194I [Rs. 4,14,000 x 7.5%] | <u>31,050</u> | |
| | | <u>40,050</u> |
| Tax Payable | | <u>90,491</u> |
| Tax Payable (rounded off) | | 90,490 |

2. (a) (i) **Determination of residential status and computation of total income of Miss Bhanushali (if she returned to India on 20.2.2021)**

| Particulars | Rs. |
|---|------------------------|
| Under section 6(1), an individual is said to be resident in India in any previous year, if he/she satisfies any one of the following conditions: | |
| (i) He/she has been in India during the previous year for a total period of 182 days or more, or | |
| (ii) He/she has been in India during the 4 years immediately preceding the previous year for a total period of 365 days or more and has been in India for at least 60 days in the previous year. | |
| If an individual satisfies any one of the conditions mentioned above, he/she is a resident. If both the above conditions are not satisfied, the individual is a non-resident. | |
| Therefore, the residential status of Miss Bhanushali, an American National, for A.Y.2021-22 has to be determined on the basis of her stay in India during the previous year relevant to A.Y. 2021-22 i.e. P.Y.2020-21 and in the preceding four assessment years. | |
| Her stay in India during the previous year 2020-21 and in the preceding four years are as under: | |
| <u>P.Y. 2020-21</u> | |
| 01.04.2020 to 11.08.2020 - 133 days | |
| 20.02.2021 to 31.03.2021 - 40 days | |
| Total | <u>173 days</u> |
| Four preceding previous years | |
| P.Y.2019-20 [14.2.2020 to 31.3.2020] - 47 days | |
| P.Y.2018-19 - Nil | |
| P.Y.2017-18 - Nil | |
| P.Y.2016-17 - Nil | |
| Total | <u>47 days</u> |
| The total stay of Miss Bhanushali during the previous year in India was less than 182 days and during the four years preceding this year was for 47 days. | |
| Therefore, due to non-fulfillment of any of the two conditions for a resident, she would be treated as non-resident for the Assessment Year 2021-22. | |
| Computation of total income of Miss Bhanushali for the A.Y. 2021-22 | |
| Income from other sources | |
| Gifts received from non-relatives is chargeable to tax as per section 56(2) (x) if the aggregate value of such gifts exceeds Rs. 50,000. | |
| - Rs. 71,000 received from parents of husband would be exempt, since parents of husband fall within the definition of 'relatives' and gifts from a relative are not chargeable to tax. | Nil |
| - Rs. 21,000 received from married sister-in-law is exempt, since sister of husband falls within the definition of relative and gifts from a relative are not chargeable to tax. | Nil |
| - Gift received from two friends of her husband Rs. 1,41,000 and Rs. 1,21,000 aggregating to Rs. 2,62,000 is taxable under section 56(2)(x) since the aggregate of Rs. 2,62,000 exceeds Rs. 50,000. | <u>2,62,000</u> |
| Total Income | <u>2,62,000</u> |

(ii) **Determination of residential status of Miss Bhanushali (if she returned to India on 20.1.2021)**

| Particulars | Rs. |
|---|------------------------|
| Yes, the answer would change, if she had returned to India again on 20.1.2021 instead of 20.2.2021. | |
| In such case, her stay in India during the previous year 2020-21 would be: | |
| 01.04.2020 to 11.08.2020 | - 133 days |
| 20.01.2021 to 31.03.2021 | - <u>71 days</u> |
| Total | <u>204 days</u> |
| Since she satisfies the condition of stay in India for more than 182 days during the previous year 2020-21, she would become resident in India. She would be a resident but not ordinarily resident in India for A.Y. 2021-22, since her stay in India in the preceding seven years is less than 730 days (it is only 47 days) ¹ . | |

(b)

- (i) **On payment of LIC maturity proceeds** - The annual premium exceeds 10% of sum assured in respect of a policy taken after 31.3.2012, and consequently, the maturity proceeds of Rs. 95,000 would not be exempt u/s 10(10D) in the hands of Ms. Sarla. However, tax deduction provisions u/s 194-DA are not attracted since the maturity proceeds are less than Rs. 1 lakh.
- (ii) **On payment of sale consideration for purchase of residential house property** - Since the sale consideration of house property is less than Rs. 50 lakhs, Mr. Arun is not required to deduct tax at source u/s 194-IA, irrespective of the fact that the stamp duty value is more than the sale consideration as well as the threshold limit of Rs. 50 lakhs.
- (iii) **On payment of fee for professional services and royalty** – Under section 194J, the threshold limit of Rs. 30,000 is specified separately for, *inter alia*, fees for professional services and royalty. Therefore, Akash (P) Limited is not required to deduct tax at source under section 194J either on fee of Rs. 22,000 for professional services or on royalty of Rs. 18,000 paid to Mr. Santosh, since the payment under each category does not exceed the independent threshold Rs. 30,000 specified thereunder.
- (iv) **On payment for purchase of bag according to specifications** - As per section 194C, the definition of “work” does not include the manufacturing or supply of product according to the specification by customer in case the material is purchased from a person other than the customer or its associate, being a person related to the customer in such manner as defined u/s 40A(2)(b).
Therefore, M/s Packaging Limited is not required to deduct tax at source in respect of payment of Rs. 1,75,000 to Mr. Ankit, for purchase of bag according to its specifications, since it did not supply the material for such bag and nor was the material supplied by any of its associates. Hence, the contract is a contract for ‘sale’ and not a works contract.
- (v) **On payment of sitting fees to the director** - ABC Private Limited is required to deduct tax at source @10% on sitting fees of Rs. 12,000 paid to its director, since the threshold limit of Rs. 30,000 u/s 194J is not applicable in respect of fees paid to a

¹ In the alternative, an individual can be treated as not ordinarily resident if she is non-resident in any 9 out of 10 preceding assessment years. In this case, Miss Bhanushali is a non-resident in all 10 preceding assessment years. She was in India for only 47 days in A.Y.2020-21 and never visited India earlier.

director of a company.

- (vi) **On payment of call centre service charges** - Since Rashi Limited is engaged only in the business of operation of call centre, Jigar Limited is required deduct tax at source @ 1.5% on the amount of Rs. 70,000 u/s 194J on 18.3.2021 i.e., at the time of credit of call centre service charges to the account of Rashi Limited, since the said date is earlier than the payment date i.e., 28.3.2021.
- (vii) **On payment of prize winnings of Rs. 21,000**
Tax is deductible @ 30% under section 194B by M/s. Maximus Retail Ltd., from the prize money of Rs. 21,000 payable to the customer, since the winnings exceed Rs. 10,000.

3. (a) (i) **Computation of depreciation for A.Y.2021-22**

| Particulars | Rs. |
|---|------------------|
| W.D.V. of the block as on 1.4.2020 | 7,70,000 |
| Add: Purchase of second hand plant during the year [in December, 2020] | <u>6,10,000</u> |
| | 13,80,000 |
| Less: Sale consideration of old machinery during the year [in July, 2020] | <u>10,00,000</u> |
| W.D.V of the block as on 31.03.2021 | <u>3,80,000</u> |
| Depreciation @ 15% but restricted to 50% thereon. Rs. 3,80,000 X 7.5% [Since the value of the block as on 31.3.2021 represents part of actual cost of second hand plant purchased in December, 2020, which has been put to use for less than 180 days, depreciation is restricted to 50% of the prescribed percentage of 15% i.e. depreciation is restricted to 7½%. Therefore, the depreciation allowable for the year is Rs. 28,500 being 7½% of Rs. 3,80,000] | 28,500 |

- (ii) In the given case, no capital gains would arise, since the block of asset continues to exist, and some of the assets are sold for a price which is lesser than the written down value of the block as increased by the actual cost of asset purchased during the year.
- (iii) If the two machines are sold in July, 2020 for Rs. 15,00,000, then short term capital gains would arise, since the sale consideration is more than the aggregate of the written down value of the block at the beginning of the year and the additions made during the year.

| Particulars | Rs. | Rs. |
|---|----------|-----------------|
| Sale consideration | | 15,00,000 |
| Less: W.D.V. of the machines as on 1.4.2020 | 7,70,000 | |
| Purchase of second plant during the year | 6,10,000 | |
| | | 13,80,000 |
| Short term capital gains | | 1,20,000 |

- (b) Since Mr. Yogesh does not own more than 10 vehicles at any time during the previous year 2020-21, he is eligible to opt for presumptive taxation scheme under section 44AE. As per section 44AE, Rs. 1,000 per ton of gross vehicle weight or unladen weight, as the case may be, per month or part of the month for each heavy goods vehicle and Rs. 7,500 per month or part of month for each goods carriage other than heavy goods vehicle, owned by him would be deemed as his profits and gains from such goods carriage.

Heavy goods vehicle means any goods carriage, the gross vehicle weight of which exceeds 12,000 kg.

Calculation of presumptive income as per section 44AE

| Type of carriage | No. of months the vehicle is owned by Mr. Prakash | Rate per ton per month | Ton | Amount Rs. |
|--|---|------------------------|-------------------|--------------------------|
| (1) | (2) | (3) | (4) | (5) [(2) x (3) x (4)] |
| Heavy goods vehicle | | | | |
| Vehicle B (15,000 kgs) held throughout the year | 12 | Rs. 1,000 | 15 (15,000/1,000) | 1,80,000 |
| Vehicle E (14,000 kgs) purchased on 15.5.2020 | 11 | Rs. 1,000 | 14 (14,000/1,000) | 1,54,000 |
| Goods vehicles other than heavy goods vehicle | | | | |
| Vehicle A held throughout the year | 12 | Rs. 7,500 | - | 90,000 |
| Vehicle C held throughout the year | 12 | Rs. 7,500 | - | 90,000 |
| Vehicle D purchased on 20.4.2020 | 12 | Rs. 7,500 | - | 90,000 |
| Total | | | | 6,04,000 |

The “put to use” date of the vehicle is not relevant for the purpose of computation of presumptive income under section 44AE, since the presumptive income has to be calculated per month or part of the month for which the vehicle is owned by Mr. Yogesh.

(b) Computation of amount chargeable to tax under the head “Capital Gains” in the hands of Mr. Naveen

| | Particulars | Rs. |
|------|--|---------------|
| (i) | <u>Sale of 10,000 shares of Y Ltd. on 5.4.2020 @ 650 per share</u> | |
| | Sales consideration (10,000 x Rs. 650) | 65,00,000 |
| | Less: Cost of acquisition | Rs. 30,00,000 |
| | Higher of: | |
| | - Actual cost (10,000 x Rs. 100) | 10,00,000 |
| | - Lower of: | 30,00,000 |
| | <ul style="list-style-type: none"> • Rs. 30,00,000 (Rs. 300 x 10,000), being fair market value as on 31.1.2018 (Highest price of the shares traded on 31.1.2018); and • Rs. 65,00,000, being full value of consideration on transfer | |
| | Long-term capital gain under section 112A [Since shares held for more than 12 months and STT is paid both at the time of purchase and sale. Benefit of indexation is, however, not available on LTCG taxable u/s 112A]. | 35,00,000 |
| (ii) | <u>Sale of 1,000 units of AB Mutual Fund on 20.5.2020 @ Rs. 50 per unit</u> | |
| | Sale consideration (1,000 x Rs. 50) | 50,000 |

| | | | |
|--------------|---|--------|---------------|
| | Less: Cost of acquisition - Higher of - | | <u>50,000</u> |
| | - Actual cost (1,000 x Rs. 10) | 10,000 | |
| | - Lower of: | 50,000 | |
| | • Rs. 55,000 (Rs. 55 x 1,000), FMV, being Net Asset Value as on 31.1.2018; and | | |
| | • Rs. 50,000, being full value of consideration on transfer | | |
| | Long-term capital gain under section 112A [Since shares are held for more than 12 months and STT is paid at the time of sale] | | Nil |
| (iii) | <u>Sale of 100 shares of C Ltd. on 27.9.2020 @ 200 per share</u> | | |
| | Sale consideration (100 x Rs. 200) | | 20,000 |
| | Less: Indexed Cost of acquisition [100 x Rs. 50 (being FMV on 1.4.2001) x 301/100] | | <u>15,050</u> |
| | Long-term capital gain under section 112 [Since shares are unlisted and held for more than 24 months] | | <u>4,950</u> |

Computation of tax on such capital gains for A.Y. 2021-22

| Particulars | Rs. |
|---|------------------------|
| Tax under section 112A @ 10% on long-term capital gains of Rs. 34,00,000 [LTCG of Rs. 35,00,000 (-) Rs. 1,00,000] arising on sale of shares of Y Ltd. | 3,40,000 |
| Tax under section 112 @ 20% on long-term capital gains of Rs. 4,950 arising on sale of unlisted shares of C Ltd. | <u>990</u> |
| Total tax payable | <u>3,40,990</u> |

4. (a) Computation of total income of Mr. Praveen for the A.Y.2021-22

| Particulars | Rs. | Rs. |
|---|-----------------|------------------------|
| Salaries | | |
| Income from salaries | 2,20,000 | |
| Less: Loss from house property set-off against salary as per section 71(1) & 71(3A) | <u>2,00,000</u> | 20,000 |
| Profits and gains of business or profession | | |
| Income from speculation business | 40,000 | |
| Less: Loss from toy business set off | <u>40,000</u> | Nil |
| 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 | |
| Less: Loss from toy business set off | <u>90,000</u> | 50,000 |
| Income from other sources | | |
| Income from betting | | <u>45,000</u> |
| Gross total income | | <u>1,15,000</u> |

| | |
|--|----------------------|
| Less: Deduction under section 80C(life insurance premium paid) | <u>20,000</u> |
| Total income | <u>95,000</u> |

Losses to be carried forward:

| Particulars | Rs. |
|--|--------|
| (1) Loss from house property (Rs.2,50,000 – Rs.2,00,000) | 50,000 |
| (2) Loss from toy business (Rs.1,30,000 - Rs.40,000 - Rs.90,000) | Nil |
| (3) Loss from specified business covered by section 35AD | 20,000 |

Notes:

- (i) As per section 71(3A), loss from house property can be set-off against any other head of income to the extent of Rs.2,00,000 only.

As per section 71B, balance loss not set-off can be carried forward to the next year for set-off against income from house property of that year. It can be carried forward for a maximum of eight assessment years i.e., upto A.Y. 2029-30, in this case.

- (ii) Loss from specified business covered by section 35AD can be set-off only against profits and gains of any other specified business. Therefore, such loss cannot be set off against any other income. If loss cannot be so set-off, the same has to be carried forward to the subsequent year for set-off against profits and gains of any specified business, if any, in that year. As per section 73A(2), such loss can be carried forward indefinitely for set-off against profits of any specified business.
- (iii) Business loss cannot be set off against salary income. However, business loss of Rs.90,000 (Rs.1,30,000 – Rs.40,000 set-off against income from speculation business) can be set-off against long-term capital gains from sale of urban land. Consequently, the taxable long-term capital gains would be Rs.50,000.
- (iv) Loss from card games can neither be set off against any other income, nor can it be carried forward.
- (v) For providing deduction under Chapter VI-A, gross total income has to be reduced by the amount of long-term capital gains and casual income. Therefore, the deduction under section 80C in respect of life insurance premium paid has to be restricted to Rs.20,000 [i.e., Gross Total Income of Rs.1,15,000 – Rs.50,000 (LTCG) – Rs.45,000 (Casual income)].
- (vi) Income from betting is chargeable at a flat rate of 30% under section 115BB and no expenditure or allowance can be allowed as deduction from such income, nor can any loss be set-off against such income.

(b) Computation of total income of Mr. Deepak for A.Y.2021-22

| Particulars | Rs. | Rs. |
|--|---------------|------------------------|
| Income under the head “Salaries” | | |
| Pension | 6,60,000 | |
| Less: Standard deduction u/s 16(ia) | | |
| Lower of Rs. 50,000 or actual salary/pension | <u>50,000</u> | 6,10,000 |
| Income from Other Sources | | |
| Interest from bank on fixed deposit (Gross) | | <u>55,000</u> |
| Gross Total Income | | <u>6,65,000</u> |

| | | |
|--|--------|-----------------|
| Less: Deduction under Chapter VI-A | | |
| Deduction under section 80C | | |
| LIC premium of Rs. 22,500 (restricted to 10% of Rs. 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 Rs. 50,000 since Mr. Deepak is a senior citizen | 26,000 | |
| Deduction under section 80E | | |
| Interest on loan taken from bank for MBA course pursued by his daughter | 6,500 | |
| Deduction under section 80G | | |
| Donation to an approved institution for promoting family planning not allowed since the amount exceeding Rs. 2,000 is paid in cash | Nil | |
| Deduction under section 80TTB | | |
| Interest on fixed deposit with bank allowable as deduction upto Rs. 50,000, since Mr. Deepak is a senior citizen | 50,000 | 1,02,500 |
| Total Income | | 5,62,500 |

(c)

(i) Fee for default in furnishing return of income u/s 234F

Where a person, who is required to furnish a return of income under section 139, fails to do so within the prescribed time limit under section 139(1), he shall pay, by way of fee, a sum of –

| Fee | Circumstances |
|---|---|
| Rs. 5,000 | If the return is furnished on or before the 31 st December of the assessment year; |
| Rs. 10,000 | In any other case |
| Note - However, if the total income of the person does not exceed Rs. 5 lakhs, the fees payable shall not exceed Rs. 1,000 | |

(ii) Persons to whom provisions of section 139AA relating to quoting of Aadhar Number does not apply

The provisions of section 139AA relating to quoting of Aadhar Number would not apply to an individual who does not possess the Aadhar number or Enrolment ID and is:

- (i) residing in the States of Assam, Jammu & Kashmir and Meghalaya;
- (ii) a non-resident as per Income-tax Act, 1961;
- (iii) of the age of 80 years or more at any time during the previous year;
- (iv) not a citizen of India.

SECTION B - INDIRECT TAXES (40 MARKS)

SUGGESTED ANSWERS

Division A - Multiple Choice Questions

| Question No. | Answer |
|--------------|---------------------------|
| 1.1 | (d) Rs. 36,000 each |
| 1.2 | (b) Rs. 58,000 |
| 1.3 | (c) Rs. 1,20,000 |
| 1.4 | (b) 25 th July |
| 1.5 | (a) Mr. Pawan |
| 2. | (d) (i), (ii) and (iii) |

Division B - Descriptive Answer

1. **Computation of GST payable on outward supplies**

| S.No. | Particulars | CGST @ 9% (Rs.) | SGST @ 9% (Rs.) | IGST @ 18% (Rs.) | Total (Rs.) |
|-------|---|-----------------|-----------------|------------------|-----------------|
| (i) | Intra-State supply of goods for Rs. 10,00,000 | 90,000 | 90,000 | | 1,80,000 |
| (ii) | Inter-State supply of goods for Rs. 8,00,000 | | | 1,44,000 | 1,44,000 |
| | Total GST payable | | | | 3,24,000 |

Computation of total ITC

| Particulars | CGST @ 9% (Rs.) | SGST @ 9% (Rs.) | IGST @ 18% (Rs.) |
|---|-----------------|-----------------|------------------|
| Opening ITC | 57,000 | 60,000 | 1,40,000 |
| Add: ITC on Intra-State purchases of goods valuing Rs. 3,00,000 | 27,000 | 27,000 | Nil |
| Add: ITC on Inter-State purchases of goods valuing Rs. 2,50,000 | Nil | Nil | 45,000 |
| Total ITC | 84,000 | 87,000 | 1,85,000 |

Computation of minimum GST payable from electronic cash ledger

| Particulars | CGST @ 9% (Rs.) | SGST @ 9% (Rs.) | IGST @ 18% (Rs.) | Total (Rs.) |
|---|------------------|------------------|--------------------|---------------|
| GST payable | 90,000 | 90,000 | 1,44,000 | 3,24,000 |
| Less: ITC [First ITC of IGST should be utilized in full - first against IGST liability and then against CGST and SGST liabilities in a manner to minimize cash outflow] | (38,000) IGST | (3,000) IGST | (1,44,000) IGST | 1,85,000 |
| | (52,000) CGST | (87,000) SGST | | 1,39,000 |
| Minimum GST payable in cash | Nil | Nil | Nil | Nil |
| ITC balance to be carried forward next month | 32,000 | Nil | Nil | 32,000 |

Note : The above computation is one of the many ways to set off the ITC of IGST (Rs. 41,000-after set off against IGST liability) against CGST and SGST liability to compute minimum GST payable in

cash. To illustrate, IGST of Rs. 10,000 can be set off against SGST payable and IGST of Rs. 31,000 can be set off against CGST payable. In this situation also, the net GST payable will be nil but the ITC of CGST and SGST to be carried forward will be Rs. 25,000 and Rs. 7,000 (totalling to Rs. 32,000) respectively. However, if the entire ITC of Rs. 41,000 is set off against CGST payable, then SGST of Rs. 3,000 will be payable in cash thus, increasing the cash outflow. Therefore, such a set off would not be advisable for computing the minimum GST payable.

2. (a) **Computation of value of taxable supply made by Kavya Ltd. to Ayesha Ltd.**

| Particulars | Amount (Rs.) |
|--|-----------------|
| Price of machinery (exclusive of taxes and discounts) | 5,50,000 |
| Amount paid by Ayesha 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) of the CGST Act, 2017.] | 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) of the CGST Act, 2017.] | 25,000 |
| Less: Discount @ 2% on the price of machinery [Rs.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) of the CGST Act, 2017.] | 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) of the CGST Act, 2017 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 |

(b) No, the claim made by Kashi Enterprises that it is not required to pay GST is not correct. Services provided by an organiser to any person in respect of a business exhibition are exempt from GST only when such business exhibition is held outside India. However, since in the given case, the exhibition is being organized in India, the services of organization of event by Kashi Enterprises will not be exempt from GST.

3. (a) As per section 22 of the CGST Act, 2017 read with *Notification No. 10/2019 CT dated 07.03.2019*, a supplier is liable to be registered in the State/Union territory from where he makes a taxable supply of goods and/or services, if his aggregate turnover in a financial year exceeds the threshold limit. The threshold limit for a person making exclusive taxable supply of services or supply of both goods and services is as under:-

(a) Rs. 10 lakh for the Special Category States of Mizoram, Tripura, Manipur and Nagaland.

(b) Rs. 20 lakh for the rest of India.

(i) Though Aadi is dealing in Assam, he is not entitled for higher threshold limit for registration as the same is applicable only in case of exclusively supply of goods and he is exclusively engaged in providing services. Thus, the applicable threshold limit for registration in this case is Rs. 20 lakh and hence, Aadi is liable to get registered under GST.

(ii) Since Atri is engaged in supply of both taxable goods and services, the applicable threshold limit for registration in his case is Rs. 20 lakh. Thus, Atri is liable to get registered under GST as his turnover is more than the threshold limit.

(b) SBS Ltd., have accounted and paid Rs. 45,000/- as IGST to the supplier concerned. However, availment of input tax credit has been made for Rs. 54,000/-.

As per Section 49(2) of CGST Act, 2017 "The input tax credit as self-assessed in the return of a registered person shall be credited to his electronic credit ledger, in accordance with section 41, to be maintained in such manner as may be prescribed."

Accordingly, electronic credit ledger of SBS Ltd., shall be updated with a value of Rs. 54,000/- as per self- assessed return to be filed for February 2020, though the input tax credit shown by the supplier is only Rs. 45,000/-.

4. (a) GST is a simplified tax structure. The statement is justified. Simpler tax regime with fewer exemptions along with reduction in multiplicity of taxes under GST has led to simplification and uniformity in tax structure. The uniformity in laws, procedures and tax rates across the country makes doing business easier. Common system of classification of goods and services across the country ensures certainty in tax administration across India.

(b) E-way bill is valid for movement of goods by road only when the information in Part-B is furnished in terms of explanation 2 to rule 138(3) of the CGST Rules, 2017. However, details of conveyance may not be furnished in Part-B of the e-way bill where the goods are transported **for a distance of upto 50 km** within the State/Union territory:

- from the place of business of the consignor to the place of business of the transporter for further transportation or
- from the place of business of the transporter finally to the place of business of the consignee.