

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

Time Allowed – 3 Hours

Maximum Marks – 100

SECTION – A: INCOME TAX (50 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. During the A.Y. 2021-22, Mr. Kabir has a loss of Rs. 6 lakhs under the head "Income from house property" and income of Rs. 5 lakhs from business of profession. 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. 1,00,000 from house property
- (b) Total income Nil; No loss is allowed to be carried forward
- (c) Total income Rs. 3,00,000; No loss is allowed to be carried forward
- (d) Total income Rs. 3,00,000; loss of Rs. 4,00,000 from house property **(1 Mark)**

Division B – Descriptive Questions

Question No. 1 is compulsory

*Attempt any **three** questions from the remaining **four** 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
		Books bought by way of A/c payee cheque in the month of May, June and September 2020 (annual publications)	80,000
		Computer acquired on 1-11-2020 for professional use (payment made by A/c payee cheque)	52,000
		Domestic drawings	6,23,000
		Motor car maintenance	72,000
		Public Provident Fund subscription	1,50,000
		Closing balances (31-03-2021)	
		Cash & Bank	61,000
	61,35,000		61,35,000

Other information:

- (i) Listed equity shares on which STT was paid were acquired in August 2016 for Rs. 1,21,800. The fair market value of such shares as on 31st January 2018 and on 1st April 2018 was Rs. 75 per share and Rs. 85 per share, respectively.
- (ii) Motor car was put to use for both official and personal purposes. 1/3rd of the motor car is for personal purpose. No interest on car loan was paid during the previous year 2020-21.
- (ii) Mr. Alok purchased a flat in Kanpur for Rs. 35,00,000 in July 2013 cost of which was partly financed by a loan from Punjab National Housing Finance Limited of Rs. 25,00,000, his own-savings Rs. 1,00,000 and a deposit from Repco Bank for Rs. 9,00,000. The flat was given to Repco Bank on lease for 10 years @ Rs. 35,000 per month. The following particulars are relevant:
- (a) Municipal taxes paid by Mr. Alok Rs. 8,200 per annum
- (b) House insurance Rs. 11,000
- As per interest certificate issued by Punjab National Housing Finance Limited for the financial year 2020-21, he paid Rs. 1,80,000 towards principal and Rs. 2,01,500 as interest.
- (iii) He earned Rs. 1,20,000 in share speculation business and lost Rs. 1,80,000 in commodity speculation business.
- (iv) Mr. Alok received a gift of Rs. 21,000 each from four of his family friends.
- (v) He contributed Rs. 1,21,000 to PM Cares Fund by way of bank draft.
- (vi) He donated to a registered political party Rs. 3,50,000 by way of cheque.
- (vii) He follows cash system of accounting.
- (viii) Cost Inflation Index : F.Y. 2016-17 – 264; F.Y. 2018-19 – 280; F.Y. 2020-21 – 301

Assume Mr. Alok is not willing to opt for the provisions of section 115BAC.

(14 Marks)

2. Determine the residential status and total income of Mr. Raghu for the assessment year 2021-22 from the information given below.

Mr. Raghu (age 62 years), an American citizen is employed with a multinational company in Gurugram. Mr. Raghu holds a senior level position as researcher in the company, since 2009. To share his knowledge and finding in research, company gave him an opportunity to travel to other group companies outside India while continuing to be based at the Gurugram office.

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)**

3. 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)**

4. 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)**

5. (a) 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)

- (b) 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)**

SECTION B - INDIRECT TAXES (50 MARKS) OLD 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: 15 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)
3. Can a registered person opting for composition scheme collect GST on his outward supplies?
(a) Yes, in all cases
(b) Yes, only on such goods as may be notified by the Central Government
(c) Yes, only on such services as may be notified by the Central Government
(d) No (2 Marks)
4. What is the validity of the registration certificate?
(a) One year
(b) Two years
(c) Valid till it is cancelled
(d) Five years. (1 Mark)

Division B - Descriptive Questions

Question No. 1 is compulsory.

Attempt any three questions out of remaining four questions.

Total Marks: 35 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 **(3 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. **(3 Marks)**

4. (a) Milan Charitable trust, registered under section 10(23C)(v) of the Income-tax Act, 1961, manages a temple in Shahdara, Delhi. It has given on rent a community hall, located within temple premises, to public for celebration of Teej Mela. Rent charged is Rs. 9,900. You are required to determine whether the services provided by Milan Charitable trust are liable to GST. **(4 Marks)**
- (b) Alpy Ltd., have filed their GSTR-3B for the month of July, 2020 within the due date prescribed under Section 39 i.e. 20.08.2020. Post filing of the return, the registered person has noticed during September 2020 that tax dues for the month of July, 2020 have been short paid for Rs. 72,000. Alpy Ltd., has paid the above shortfall of Rs. 72,000, through GSTR-3B of September 2020, filed on 20.10.2020 [payment through Cash ledger - Rs. 54,000 and Credit ledger Rs. 18,000]. Examine the Interest payable under the CGST Act, 2017.

What would be your answer if, GSTR-3B for the month of July, 2020 has been filed belatedly on 20.10.2020 and the self-assessed tax of Rs. 72,000/- has been paid on 20.10.2020 [payment through electronic cash ledger - Rs. 54,000 and electronic credit ledger Rs. 18,000]

Notes:

- There exists adequate balance in Electronic Cash & Credit ledger as on 31.07.2020 for the above short fall.
 - No other supply has been made nor tax payable for the month of July, 2020 other than Rs. 72,000/- missed out to be paid on forward charge basis.
 - Ignore the effect of leap year, if applicable in this case. **(5 Marks)**
5. (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? **(4 Marks)**