

2020

TAXATION LAW

Fourth Paper

Full Marks : 80

*The figures in the margin indicate full marks.**Candidates are required to give their answers in their own words as far as practicable.*

Group - A

(Income Tax)

Answer *any three* questions.

1. (a) State whether the following statements are true or false : 1×10
- (i) Resjudicate is applicable in taxing statute.
 - (ii) The Institute of Chartered Accountants of India has to pay tax on all of its income.
 - (iii) Educational scholarship is exempted from tax.
 - (iv) The employer and employee relationship is not mandatory for an income adjudged under the head 'salaries'.
 - (v) Income of the Cricket Control Board is wholly exempted from the income tax.
 - (vi) Shares and stocks held for more than 12 months are treated as long-term capital assets.
 - (vii) The incidence of taxation depends on the residential status of the assessee.
 - (viii) Daily allowance paid to MLA's and MP's are part of their taxable income.
 - (ix) Vat is an example of direct tax.
 - (x) Income Tax is indirect tax.
- (b) 'Total income of an assessee cannot be determined without knowing his Residential Status in India during the previous year'— explain. 6
2. (a) What are the conditions for exemption from payment of income tax by the Political Party?
- (b) 'Income Tax is a single tax, a tax on the total income, not a collection of taxes levied separately on each head of income'.— Discuss in detail the above principle in the context of the Income Tax Law in India. 8+8
3. (a) Give eight examples of 'Income from other sources'.
- (b) State eight incomes which are entirely exempt from income tax. 8+8

Please Turn Over

4. (a) Define and discuss following under the Income Tax Act. :
- Assessment year and Previous year
 - Assessee
 - Person
 - AOP and BOI.
- (b) Define the term Income. What are the various heads of income under the Income Tax Act.? Distinguish between heads of income and sources of income. (2×4)+(2+2+4)
5. What is 'Permanent Account Number'? List out the persons who are liable to apply for allotment of PAN. What are the cases where quoting of PAN is compulsory? 16
6. (a) Give a comprehensive study of commissioner's power of revision u/s 263 and 264 of the Income Tax Act. What is the remedy available to the assessee against revisionary orders of the commissioner?
- (b) When does an appeal lie to the Supreme Court? 10+6

Group - B

(West Bengal Value Added Tax)

Answer *any one* question.

7. (a) Define VAT. Discuss the advantages and disadvantages of VAT.
- (b) Distinguish between VAT and Sales Tax. 10+6
8. Write short notes on *any four* of the following : 4×4
- Goods
 - Business
 - Manufacture
 - Input Tax
 - Casual Dealer
 - Capital Goods.

Group - C

(Service Tax)

Answer *any one* question.

9. What is Service Tax? Discuss the salient features of service tax in India. Who are liable to pay Service Tax? 4+6+6
10. (a) Define 'Service'. What do you mean by 'Declared Service'?
- (b) Specify the services taxable in India.
- (c) Specify the services not taxable in India. 8+4+4