

Name: _____

Enrolment No: _____



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

Course: Customs and GST II (Hons 3)/C.Code: LLBL 483

Programme: B. Com, LL.B. (Hons.) Taxation Laws

Max. Marks: 100

Semester: VIII

Time: 03 hrs.

Instructions: Read all questions carefully. Calculators with 12 digits function are allowed.

SECTION A

S. No.		Marks	CO
Q 1	Answer the following: (Attempt any 5):		
a.	Differences between Rules and Regulations under Customs Act, 1962	2	CO 1
b.	Powers of Custodian	2	CO 1
c.	Indian customs waters	2	CO 1
d.	Conveyance	2	CO 1
e.	Demurrage Charges	2	CO 1
f.	What is Import manifest? Give the details of its contents.	2	CO 1

SECTION B

Answer the following: (Attempt all)

Q 2.	What is taxable event under Customs? What are the rules governing assessable value? How is Assessable Value computed? Illustrate.	5	CO 1
Q 3.	With the help of relevant provision explain the valuation method for determination of duty of goods consist of articles liable to different rates of duty.	5	CO 3
Q 4.	State the provisions of transshipment of goods without payment of duty under Section 54 of Customs Act, 1962. Explain.	5	CO 1
Q 5.	Define the term "Derelict", "Jetsam", "Flotsam" and "Wreck". How is duty computed in case if all goods, derelict, jetsam, flotsam and wreck are brought into India?	5	CO 3

SECTION-C

Answer the following: (Attempt all)

- Q 6. Shekhar Ltd. imported Super Kerosene Oil (SKO) and stored it in a warehouse. An ex bond bill of entry for home consumption was filed and duty was paid as per the rate prevalent on the date of presentation of such bill of entry and the order for clearance for home consumption was passed. On account of highly combustible nature of SKO, the importer made an application to permit the storage of such kerosene oil in the same warehouse until actual clearance for sale/use. The application was allowed. However, the rate of duty increases when the goods were actually removed from the warehouse. The department demanded the differential duty. The company challenged the demand. Whether it will succeed? Discuss briefly, taking support of decided case(s), if any. **10 CO 2**
- Q 7. What is 'Bill of Entry'? What are the different kinds of 'Bill of Entry'? Explain the procedure of filing Bill of Entry for Home Consumption with the help of a diagram. **10 CO 2**

SECTION-D

Answer the following: (Attempt all)

- Q 8. The Custom duty derived its value from the word "custom" under which whenever a merchant entered a Kingdom with his merchandise, he had to give some gift to the king. Subsequently, this custom formalized into the levy of custom duty or tax on goods imported into and exported from the country was organized through various laws during the British period. In light of above statement answer following questions: **10 CO 3**
1. What is the object of levying of duties on Import and Export of goods?
 2. What kinds of Import duties are provided under the Customs Act, 1962?
- Q 9. The person-in-charge of a vessel or an aircraft entering India from any place outside India shall not cause or permit the vessel or aircraft to call or land at any place other than a customs port or a customs airport. In light of above statement, explain the procedure of import of goods? What is the restriction on unloading of goods on Holidays? **10 CO 3**
- Q 10. Export price of Goods = Rs. 3000/- (FoB)
Insurance = Rs. 20/-, Freight = Rs. 10/-
Normal Associated Custom Duties
[BCD = 150/-, SWS = Rs 10/-, IGST = 200. **15 CO 3**
- Sale price of the same in the country of exportation = 3500/-
Like Article in India by the Domestic Industry in currently being sold @ 5,000/-

Determine the amount of Anti-Dumping Duty

Q 11. From the following information, compute the amount of basic customs duty in respect of import of readymade garments:

FOB value of the order: ₹25000 US

Freight: Unascertainable

Insurance: ₹2000 US

Rate of Duty as on 20/03/2018: 10%

Rate of Duty as on 1/4/2018: 10%

Rate of Duty as on 5/04/2018: 12%

Exchange Rate:

Date	CBEC	RBI
20/03/2018	70 INR per US\$	68 INR per US\$
1/4/2018	69 INR per US\$	67 INR per US\$

15 CO 3

Note:

1. Entry inward was granted on 1/04/2018
 2. Date of Arrival of Vessel 5/04/2018
 3. Date of Bill of Entry for Home Consumption was filed on 20/03/2018
 4. Social Welfare Surcharge @10 % is applicable.
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Instructions: Read all questions carefully. Calculators with 12 digits function are allowed.

SECTION A

S. No.	Answer the following: (Attempt any 5):	Marks	CO
Q 1	Statement of question		
a.	Person-in-charge	2	CO 1
b.	Baggage	2	CO 1
c.	FOB Vs. CIF Value of goods	2	CO 1
d.	Duty, Responsibility and Liability of Custodian	2	CO 1
e.	Territorial Waters of India	2	CO 1
f.	Goods in transit	2	CO 1

SECTION B

Answer the following: (Attempt all)

Q 2.	Define the term “Derelict”, “Jetsam”, “Flotsam” and “Wreck”. How is duty computed in case if all goods, derelict, jetsam, flotsam and wreck are brought into India?	5	CO 1
Q 3.	Customs duty is imposed on goods imported into or exported out of India as per the rates specified under the Customs Tariff Act, 1975 or any other law? What are different types of Customs Duty? How is Assessable Value Computed under Customs Act, 1962?	5	CO 3
Q 4.	State the provisions of transit of goods without payment of duty under Section 53 of Customs Act, 1962. Explain.	5	CO 1
Q 5.	A person may bring set of articles in India with differential rates of duties applicable on these different articles. With the help of relevant provision explain the valuation method for determination of duty of goods consist of articles liable to different rates of duty.	5	CO 3

SECTION-C

Answer the following: (Attempt all)

- Q 6. What is the procedure of preparation and filing of 'Bill of Entry' for Warehousing? What are the rights of owner to deal with warehoused goods? Can warehoused goods be subject to any treatment before its clearance for home consumption? **10 CO 2**
- Q 7. Sahil Ltd. imported Super Kerosene Oil (SKO) and stored it in a warehouse. An ex bond bill of entry for home consumption was filed and duty was paid as per the rate prevalent on the date of presentation of such bill of entry and the order for clearance for home consumption was passed. On account of highly combustible nature of SKO, the importer made an application to permit the storage of such kerosene oil in the same warehouse until actual clearance for sale/use. The application was allowed. However, the rate of duty increases when the goods were actually removed from the warehouse. The department demanded the differential duty. The company challenged the demand. Whether it will succeed? Discuss briefly, taking support of decided case(s), if any **10 CO 2**

SECTION-D

Answer the following: (Attempt all)

- Q 8. Mr. Sankalp imports readymade garments from London. Compute the amount of basic customs duty in respect of import if Mr. Sankalp has entered into agreement for FOB value of \$25000 US. The freight is unascertainable, and insurance paid is \$2000 US.

Exchange Rate:

Date	CBEC	RBI
20/03/2018	70 INR per US\$	68 INR per US\$
1/4/2018	69 INR per US\$	67 INR per US\$

Rate of Duty as on 20/03/2018: 10%

Rate of Duty as on 1/4/2018: 10%

Rate of Duty as on 5/04/2018: 12%

15 CO 3

Note:

5. Social Welfare Surcharge @10 % is applicable.
6. Date of Bill of Entry for Home Consumption was filed on 20/03/2018
7. Entry inward was granted on 1/04/2018
8. Date of Arrival of Vessel 5/04/2018

- Q 9. Export price of Goods = Rs. 6000/- (FoB)
Insurance = Rs. 70/-, Freight = Rs. 1200/-
Normal Associated Custom Duties
[BCD = 300/-, SWS = Rs 30/-, IGST = 200. **15 CO 3**

Sale price of the same in the country of exportation = 5000/-
Like Article in India by the Domestic Industry in currently being sold @ 8500/-

Determine the amount of Anti-Dumping Duty

- Q 10. What is the procedure followed for import of goods into India? What is the restriction placed on the import of Goods through sea route? How is freight computed in case of import by air route? **10** **CO 3**
- Q 11. After Independence the Sea Customs Act 1878, the Land Customs Act, 1924 and other allied enactments were repealed by a consolidating and amending legislation entitled the Customs Act, 1962. In light of above answer following questions:
1. How are the territorial limits of India fixed for the purpose of Import and Export of goods? **10** **CO 3**
 2. What kinds of Import duties are provided under the Customs Act, 1962?

