


Name:			
Enrolment No:			
UPES End Semester Examination, December 2024			
Course: Taxation Law		Semester: V	
Program: LL.B. (Hons.)		Time: 03 hrs.	
Course Code: CLCC3051		Max. Marks: 100	
Instructions: All questions are compulsory. Calculators are permitted.			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q1	Define Assessee-in-default.	2	CO1
Q2	Define Tax Evasion.	2	CO1
Q3	Identify two tax haven countries.	2	CO1
Q4	List the indirect taxes which have been subsumed in the GST.	2	CO1
Q5	Employee's contribution towards Public Provident Fund is eligible for deduction under Section 80C of Income Tax Act. (True/False)	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q6	Explain the taxability of family pension received by the family members of the deceased person under the head 'income from other sources'.	5	CO2
Q7	Explain the concept of GAAR and its role in empowering revenue authorities of India.	5	CO2

Q8	Describe the taxable event for the levy of Customs Duty and explain its purpose.	5	CO2
Q9	State the composition and role of GST Council under the CGST Act, 2017.	5	CO2
SECTION-C (2Qx10M=20 Marks)			
Q 10	<i>The income from houses, buildings, bungalows, godowns etc.is to be computed and assessed to tax under the head 'Income from house property'. The income under this head is not based upon the actual income from the property but upon the annual value of the property.</i> Discuss the steps involved in the determination of Gross Annual Value (GAV) for the purpose of computation of income under the head house property.	10	CO3
Q11	<i>A supply to attract GST should be made by a taxable person. Hence, the supply between two non-taxable persons does not constitute supply under GST.</i> In the above context, discuss the meaning and kinds of supply under CGST Act, 2017.	10	CO3
SECTION-D (2Qx25M=50 Marks)			
Q12	FloraPrime Nursery Pvt. Ltd. specializes in growing premium ornamental plants, saplings, and rare flowers, employing both conventional soil-based cultivation and advanced techniques, such as tissue culture, aquaponics, climate-controlled greenhouses, and container gardening. The company asserts that revenue from selling these plants should be classified as agricultural income under Section 10(1) of the Income Tax Act, stressing that their primary activity remains plant cultivation regardless of the method or growing medium.	25	CO4

	<p>However, the company's operations involve significant reliance on artificial growing mediums and controlled environments, which do not always necessitate direct use of land in the traditional sense. Does the use of artificial mediums and modern methods challenge the notion that such operations fulfill the legal requirements for agricultural income under Indian tax law? Considering judicial precedents that emphasize the intrinsic link between agricultural operations and land cultivation, critically evaluate whether the income generated through such methods can entirely be classified as agricultural.</p>		
Q13	<p>Elon, living in Mumbai, was an employee in Kesla Co., a non-government company in India for 25 years. His monthly salary was ₹2,00,000/- (with a basic salary of ₹70,000 and Dearness Allowance of ₹30,000) and several emoluments during the FY 2023-24. He retired on 1st day of April 2024 and claims exemption on his retirement benefits.</p> <ol style="list-style-type: none"> i. He received ₹15,00,000 as gratuity after his retirement. Calculate the tax exemption on the gratuity, assuming that he is covered under the Payment of Gratuity Act, 1972. (5 marks) ii. He received an HRA of ₹20,000 per month and paid rent of ₹ 18,000 per month. Compute the exempted portion of his HRA. (5 marks) iii. Compute the deduction for entertainment allowance, assuming he was a government employee, who received an annual entertainment allowance of ₹15,000. (5 marks) iv. He contributes 15% of his salary to a Recognized Provident Fund (RPF) and a similar contribution is 	25	CO4

	<p>made by his employer. Calculate the tax exemption of RPF. (5 marks)</p> <p>v. He had availed 20 days leave in the PY out of 60 days to which he was entitled, and he is willing to encash the balance leave of 40 days at the time of retirement. (5 marks)</p>		
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