

**H.P.BOARD OF DEPARTMENTAL EXAMINATIONS
DEPARTMENTAL EXAMINATION OF EXCISE AND TAXATION
INSPECTORS OF HIMACHAL PRADESH SESSION, MAY- JUNE, 2009**

PAPER-4 (SALES TAX LAW AND PRACTICE)

Time Allowed: 3 Hours.

Maximum Marks: 100

- Note:-**
- 1. Attempt any five questions. All questions carry equal marks.**
 - 2. Relevant provisions of Acts/ Rules are to be quoted in answers.**
 - 3. Only bare Acts and Rules are allowed inside the examination hall.**

Q.No.1 a) Define the following:-

- (i) Capital goods.
- (ii) Declared goods
- (iii) Input tax.
- (iv) Invoice.
- (v) Output tax.
- (vi) Reserve input tax.
- (vii) Sale.
- (viii) Timber.
- (ix) Turnover
- (x) Tax or value added tax.

(10 marks)

b) What are the requirements for registration of a dealer under the H.P. Value Added Tax Act, 2005 and the rules framed thereunder.

(10 marks)

Q.No.II (i) What is taxable quantum under the H.P. Value Added Tax Act, 2005 for Different classes of dealers for the purpose of compulsory registration?

(5 marks)

(ii) What are the existing tax incentives available to the industrial units located in H.P. under the H.P. Value Added Tax Act, 2005?

(10 marks)

(iii) What are the offences punishable under the Central Sales Tax Act, 1956?

(5 marks)

Q.No.III (i) Explain the provisions of H.P. General Sales Tax (Deferred Payment of Tax) Scheme, 2005 and what are the salient features of the Scheme?

(10 marks)

(ii) What are the conditions for eligibility under the scheme for a registered Dealer (i.e. industrial unit)?

(5 marks)

(iii) Whether this Scheme is still applicable? If so, under what provisions of the H.P. Value Added Tax Act, 2005. Also quote the relevant notification No. And date issued in this regard by the Government.

(5 marks)

Q.No.IV (a) What are the rate of tax on the following goods under the H.P. Value Added Tax Act, 2005:-

- (i) Cement.
- (ii) Declared Goods.
- (iii) Diesel.
- (iv) Electric energy.
- (v) Imported liquor and Wines.
- (vi) Khair- Wood
- (vii) Lottery tickets.
- (viii) Lime stones.
- (ix) L.P.G.
- (x) Mineral water.

(10 marks)

B (i) Explain as to whether an industrial units which was enjoying the sales tax Incentives before the commencement of the H.P. Value Added Tax Act, 2005 Will be eligible for sales tax incentives for the remaining un- expired period. If So, under which provisions of the Act.

(ii) At what rate an industrial unit will be entitled to purchase from a registered Dealer the industrial input and the packing material for use in the manufacture Of goods for sale under the H.P. Value Added Tax, 2005?

(iii) Whether input tax credit will be available to a unit, If the goods on the Purchase of which tax has been paid by such unit to a selling registered dealer Used in the manufacture of goods declared a tax free? Quote the relevant Provisions.

(10 marks)

Q.No.V (i) What is the procedure of filing of returns and payment of tax under the H.P. Value Added Tax Act, 2005 and the rules framed there- under? Quote the Relevant provisions.

(10 marks)

(ii) What is the procedure of security and audit of returns and what type of cases Can be selected for scrutiny under the H.P. Value Added Tax Act, 2005 and The rules framed there under? Also quote the relevant provisions.

(10 marks)

Q.No.VI (i) What are the restricted goods on the purchase of which no input tax credit is Admissible to a dealer? Quote the relevant provisions.

(5 marks)

(ii) In which cases/ circumstances the input tax credit already availed can be Reversed under the H.P. Value Added Tax Act, 2005.

(5 marks)

(iii) Explain the following:-

- (a) Debit Note.
- (b) Credit Note.
- (c) Tax Invoice.
- (d) Retail Invoice
- (e) Cash- Memo.

(10 marks)

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Q.No.VII (i) Explain the procedure regarding assessment, re- assessment including Rectification of mistakes under the H.P. Value Added Tax Act, 2005 and The rules framed thereunder **(12 marks)**

(ii) Explain the procedure of suspension and cancellation of registration Certificates under the H.P.Value Added Act, 2005 and the rules framed Thereunder. **(8 marks)**

Q.No. VIII (i) Explain the provisions relating to Appeal and Revision under the H.P. Value Added Tax Act, 2005 and the rules framed thereunder. **(10 marks)**

- (ii) What are the purposes of use of 'C' and 'F' Forms? Also quote the Relevant provisions. **(5 marks)**
- (iii) What type/ class of dealers are eligible to opt for lump- sum payment of tax Under the H.P. V.AT Act, 2005 and the rules framed thereunder? Also Explain as to whether such dealer who has opted for lump – sum payment Of tax can avail the input tax credit or not? Also indicate as to whether Such dealer can charge tax or not? **(5 marks)**
