

25

H.P. BOARD OF DEPARTMENTAL EXAMINATION

DEPARTMENTAL EXAMINATION FOR

EXCISE AND TAXATION OFFICERS

(SESSION JUNE -2018)

Paper No. 4

Maximum Marks:- 100

Sales Tax Law and Allied Taxes.

Time allowed:- 3 Hours

Note:-

1. **Attempt a total of five questions. Question No. 1 and 8 are compulsory.**
2. Relevant provisions of the Act and Rules must be quoted.
3. Only Bare Acts and Rules are allowed inside the examination hall.

**Q. 1(Compulsory)** Write Short Notes on the following:-

1. Relationship of Goods and Services Tax with the Constitution ( 101<sup>st</sup>) Amendment Act, 2016.
2. Goods and Services Tax Council.
3. Name the four important State taxes and Central Taxes which have been subsumed in GST. Discuss the impact of subsumation of Taxes on State Revenues.
4. Mechanism for compensating the States against revenues loss as a result of implementation of GST. What is the relationship of The Goods and Services Tax (Compensation to States) Act, 2017 with GST Compensation?
5. Integrated Goods and Services Tax (IGST) is a washout tax. Explain with illustration.

5x4 =20

**Q. 2**

- a. Provide the details of the law and procedure for conducting inspection of goods in transit under the provisions of The Himachal Pradesh Passenger & Goods Taxation Act, 1955.
- b. Explain the procedure for assessment under the following Acts:-
  - i. The Himachal Pradesh Passenger & Goods Taxation Act, 1955
  - ii. The H.P. Value Added Tax Act, 2005
  - iii. The Central Sales Tax Act, 1956

- c. Provide the details of the law and procedure for appeal and revision under the following Acts:-
- i. The H.P. Value Added Tax Act, 2005
  - ii. The Central Sales Tax Act, 1956
- d. Explain the procedure for collection of tax by a person selling or causing or authorizing to cause dispatch or receipt of goods for carriage by road under the Himachal Pradesh Passenger & Goods Taxation Act, 1955
- e. What are the circumstances in which a vehicle can be detained under The Himachal Pradesh Passenger & Goods Taxation Act, 1955.

5x4 =20

**Q. 3**

- I. What is threshold limit for composition scheme under GST in the State of H.P.? Which categories of taxpayers are eligible to opt for the scheme and what are the rates applicable for different categories? (1+1+1)
- II. Whether a casual taxable person or a non-resident taxable person is eligible for the scheme? (1)
- III. Whether a manufacturer of Tobacco and manufactured tobacco substitutes can opt for composition scheme? 1
- IV. How does the compliances of a composition taxpayer change, once his aggregate exceeds the specified/threshold limit on a particular day in the financial year? (2)
- V. In how many days does a composition taxpayer need to file an intimation for withdrawal from the scheme from the day on which the threshold limit has been crossed? (1)
- VI. Whether a composition taxpayer who needs to withdraw from the scheme as his aggregator turnover has crossed the threshold limit is eligible to claim input tax credit in respect of the stock of inputs held by him on the date of withdrawal? (1)
- VII. Can a person who has opted to pay tax under the composition scheme avail Input Tax Credit on his inward supplies? (1)
- VIII. Can a person paying tax under the composition scheme issue a tax invoice under GST? (1)
- IX. Under what conditions can a registered person opt for payment of tax under composition levy in multiple states? (1)
- X. Whether a supplier of Services can opt for composition levy? (1)
- XI. Whether a person paying tax under composition scheme make supplies of goods to SEZ? 1
- XII. Calculate Tax liability of a GST Composition Taxpayer for the quarter ending 31/3/2018.

The following transactions were made during the quarter:-

Intrastate Inward Taxable Supplies	Supplies = Rs 4,00,000/-
Interstate Inward Taxable Supplies	Supplies = Rs 1,00,000/-
Interstate Inward Exempted Supplies	= Rs 2,25,000/-
Outward Taxable Supplies	= Rs 8, 50,000/-
Outward Exempted Supplies	= Rs 3,00,000/-

(6)

**Q.No. 4**

- i. The declared tariff for a room in a hotel is Rs. 7,400/- per unit per day. The customer was charged Rs 8,000/- (exclusive of tax) which included Rs 600/- on account of extra bed. What rate of GST will apply to the transaction? Also calculate the amount of tax that needs to be charged from the customer. (5)
- ii. What is meant by the declared tariff and where will the same be published? (2)
- iii. A customer had booked an accommodation with declared tariff of Rs 7,000/-. Due to non-availability of the accommodation subsequently for some reason, he was offered an accommodation with declared tariff of Rs 10,000/-. The amount charged from him however remained at Rs 7000/- only. What rate of GST will apply to the transaction? Also calculate the amount of tax that needs to be charged from the customer. (3)
- iv. Explain applicability of GST on homestays in Himachal Pradesh. Whether a homestay with an annual turnover of Rs 9,50,000/- providing accommodation through an Electronic Commerce Operator is exempt from taking registration under GST or not? (3)
- v. What rate of GST will be applicable on rooms provided to in patients in a Hospital and students in a school hostel? Explain with reasons. (3)
- vi. How has the tax compliances of the hotels changed after implementation of GST? (4)

**Q.No. 5**

- i. What is eway bill? What are the benefits of eway bill? Is the temporary vehicle number allowed for eway bill generation? (3)
- ii. What is minimum distance required for E-Way Bill generation? What is the position of regular vehicles and over dimensional cargo vehicle with regards to validity period? (1+2)
- iii. Is the eway bill required for the empty cargo containers? How many eway bills needs to be generated for transporation of goods in a semi knocked down or completely knocked down condition in a number of vehicles? Does the movement of goods under Custom seal require eway bill? (1+1+1)
- iv. What is the meaning of consignment value in eway bill? Does consignment value includes value of exempt goods in case the invoice contains both taxable and exempt goods? Does it include value of tax and cess chaged in the invoice? (1+1+1)
- v. How does the eway bill provision apply to movement of goods by Railways. (2)
- vi. Describe the procedure with regards to inspection of goods in transit after implementation of e-way bill system under GST. (4)
- vii. What is a detention report under grievance menu? When a detention report is is required to be raised? (2)

**Q.No. 6**

- i. What would be the lumpsum tax required to be paid by a up to 5 seater passenger vehicle for the year 2018-19 under the Himachal Pradesh Passenger & Goods Taxation Act, 1955 ? Cite the relevant provisions.
- ii. What would be the lumpsum tax required to be paid by a goods vehicle having loading capacity of 100 quintals for the year 2018-19 under the Himachal Pradesh Passenger & Goods Taxation Act, 1955 ? Cite the relevant provisions.
- iii. How much Additional Goods Tax under The Himachal Pradesh Passenger & Goods Taxation Act, 1955 is required to be collected on transportation of 9 Tonnes of CTD iron bars? The distance travelled in the State of H.P. is 250 Km.
- iv. What is advance ruling. How can an advance ruling under GST be obtained?
- v. Calculate Input Tax and Tax liability of a GST Taxpayer located in H.P. for the month of April 2018. The taxpayer exclusively dealing in aerated waters (Rate of IGST 28% and Cess 12%). The person has obtained a new registration on 15/04/2018 and commenced business on the same date. The transactions made upto 30/04/2018 are :-
  - Interstate Inward Supplies of aerated waters = Rs 2,000,000/-
  - Intrastate Inward Supplies of aerated waters = Rs 5,000,000/-
  - ITC of IGST on account of input services = Rs 300,000/-
  - Interstate Outward Supplies of aerated waters = Rs 6,000,000/-
  - Intrastate Outward Supplies of aerated waters = Rs 2,000,000/-

**4+4+4+2+6=20**

**Q.No. 7** Write short notes on the following:-

- i. Elaborate upon the applicability of GST on Good Transport Agency (GTA)?
- ii. How has the compliance requirements and applicability of taxes on works contractors changed after implementation of GST.
- iii. Explain the statutory forms viz:- Form C, F, H and E. Why there are no forms under GST?
- iv. Stock transfers have been made taxable under GST. How will it impact the taxpayers? Explain with illustration
- v. How has the implementation of GST affected business of Petrol Pumps and a liquor manufacturing plants ?

**5X4=20**

**Q.No. 8 (Compulsory)**

- i. What would be the lumpsum tax required to be paid by a passenger vehicle with a seating capacity of 8 passengers the year 2017-18 under the Himachal Pradesh Passenger & Goods Taxation Act, 1955 ? Cite the relevant provisions.
- ii. What would be the lumpsum tax required to be paid by a goods vehicle having loading capacity of 100 quintals for the year 2017-18 under the Himachal Pradesh Passenger & Goods Taxation Act, 1955 ? Cite the relevant provisions.
- iii. How much Additional Goods Tax under The Himachal Pradesh Passenger & Goods Taxation Act, 1955 is required to be collected on transportation of 14 Tonnes of CTD iron bars on April 2, 2018? The distance travelled in the State of H.P. is 252 Km.
- iv. What are the distinctive features of system of appeals under GST?
- v. What are the distinctive features of Audit under GST?
- vi. Calculate Input Tax and Tax liability of a GST Taxpayer for the month of April 2018. The taxpayer is exclusively dealing in aerated waters (Rate of IGST 28% and Cess 12%). The person has obtained a new registration on 15/04/2018 and commenced business on the same date. The transactions made upto 30/04/2018 are :-  
Interstate Inward Supplies of aerated waters = Rs 2,000,000/-  
Intrastate Inward Supplies of aerated waters = Rs 5,000,000/-  
ITC of IGST on account of input services = Rs 300,000/-  
Interstate Outward Supplies of aerated waters = Rs 6,000,000/-  
Intrastate Outward Supplies of aerated waters = Rs 2,500,000/-

**3+3+3+3+3+5=20**