

H.P.BOARD OF DEPARTMENTAL EXAMINATION
DEPARTMENTAL EXAMINATION OF OTHER GAZETTED (NON-
TACHNICAL) OFFICERS/ OFFICIALS OF HIMACHAL PRADESH SESSION,
MAY- JUNE, 2009

PAPER-4 (SALES TAX LAW/LAW RELATING TO ALLIED TAXES FOR
E.T.O.s)

Time Allowed: 3 Hours.

Maximum Marks: 100

Note:- 1. Attempt any five questions.

2. All questions carry equal marks.

3. Only bare Acts are allowed inside the examination hall.

4. Quote relevant provisions of the Act, Rules and notifications issued.

Q.No.1 (i) Explain what were the weaknesses in the Sales Tax Law before the Introduction of H.P. Value Added Tax, 2005 and what are the Advantages of VAT? **(8 marks)**

(ii) A dealer purchased goods worth Rs.10,000/- from a registered selling dealer After paying tax on its purchase @ 4% amounting to Rs.400/- in the month of April, 2008 in H.P. Out of which the said dealer sold 50% goods worth Rs. 6,500/- (after adding incidental charges and Profit), in the quarter Commencing from April, 2008 to June, 2008. Please calculate and indicate the Amount of output tax payable as well as the amount of input tax credit to be Available to this dealer in the above quarter assuming that no amount of input Tax credit is to be carried forward from the previous quarter (i.e. tax period) **(10 marks)**

(iii) What are the goods which have been kept outside the VAT and what are the Rates of tax on such goods? **(2 marks)**

Q.No.II (i) Registration of dealers is the first important step towards safeguarding tax Revenue. What pre cautions should be taken while granting registration under The H.P. Value Added Tax Act, 2005 and the rules framed there under. **(10 marks)**

(ii) Returns are confidential documents under the H.P. Value Added Tax Act, 2005. However, there are certain exceptions. Please elaborate. **(10 marks)**

Q.No.III (i) explain what are the offences punishable under the Central Sales Tax Act, 1956 and in which offences penalty can be imposed in lieu of prosecution. **(8 marks)**

(ii) Indicate the details of goods which have been included in the negative list For the purpose of claiming input tax credit by the registered dealer. **(2 marks)**

(iii) Explain the procedure regarding assessment, re-assessment and refund of Tax under the H.P. VAT Act, 2005 and the rules framed there under. **(10 marks)**

Q.No.IV (i) Discuss the procedure regarding grant and cancellation of certificate of Registration under the H.P. Passengers & Goods Taxation Act, 1955 and the Rules framed there under. **(10 marks)**

(ii) Indicate the rate of tax/ duty on the following:-

- (a) Passenger tax.
- (b) Goods tax.
- (c) Surcharge on passenger- tax.
- (d) Lumb- sum passenger- tax on.-
 - (i) Maxi- cab-----having seats between 9-12.
 - (ii) Maxi- cab-----having seats between 7-8.
 - (iii) Imported car.
 - (iv) Maruti Van/ Maruti car.
- (e) Rate of additional goods- tax on woollen- yarn
- (f) Rate of entertainment- duty for admission in a Ciema- hall.
- (g) Rate of Luxury- tax.
- (h) Rate of show- tax per show in respect of cinemas located in “A”, ‘B’, “C” and “D’ category at the following places:-
 - (i) Shimla (ii) Nahan (iii) Solan (iv) Palampur (v) Dalhousie (vi) Hamirpur
 - (vii) Bilaspur **(4 marks)**

(iii) Write short notes on the following (not exceeding 50 words on each):-

- a) Special mode of recovery.
- b) Declared goods.
- c) Debit and Credit notes.
- d) Input tax credit. **(6 marks)**

Q.No.V What in your opinion are the essential steps that a successful Taxation Officer Should undertake to curb tax evasion and maximize revenue collection, Without causing un- due harassment to the dealers? **(20 marks)**

Q.No.VI (i) explain the provisions of Appeal/ Revision under the following taxation Acts:-

- (j) H.P. VAT Act, 2005;
- (ii) H.P. PGT Act, 1955;
- (iii) H.P. Tax on luxuries (in Hotels and Lodging Houses) Act, 1979; and
- (iv) H.P. Entertainments Duty Act, 1968. **(15 marks)**

(ii) Who are the appellate/ revisional authorities under the aforesaid Acts? **(5 marks)**

Q. No.VII (i) Explain the procedure for refund of value of un- used stamps and renewal Of damaged or spoiled stamps under the H.P. Entertainments Duty Rules, 1969. **(10 marks)**

(ii) Discuss the procedure for obtaining of a Deferment Certificate under the Himachal Pradesh Tax on Luxuries (in Hotels and Lodging houses) Deferred Payment of Luxury Tax) Scheme, 1996. **(10 marks)**

- Q.No.VIII (i) Whether the outstanding arrears under the H.P.VAT Act, 2005, H.P. PGT Act, 1955, H.P. Tax on Luxuries (in Hotels and Lodging Houses) Act, 1979, Central Sales Tax Act, 1956 and the H.P. Entertainments Duty Act, 1968 can be recovered as arrears of land revenue? Is so, explain the Procedure of recovery under the Land Revenue Act. **(8 marks)**
- (ii) What powers have been conferred upon the Officers of the Excise & Taxation Department under the Land Revenue Act? **(3 marks)**
- (iii) Who is the competent authority whose prior approval is required before Selling/ auctioning the immovable property of the defaulter within H.P. by The officer of the Excise & Taxation Department under the Land Revenue Act for the purpose of recovery of arrears? **(2 marks)**
- (iv) Who is the competent authority to hear the appeal against the orders passed By the Assistant Excise & Taxation Commissioner, Incharge of the District In exercising the powers conferred on him under the Lnad Revenue Act? **(2 marks)**
- (v) Whether the vehicle of the defaulter can be detained for the recovery of tax Or penalty under the H.P. Passengers & Goods Taxation Act, 1955? If so, Under which provisions and under what circumstances. Also indicate who Is the competent authority to detain the vehicle under the aforesaid Act. **(5 marks)**
