



# The Institute of Chartered Accountants of India

**Code:** FN8IL566609  
**Subject :** INDIRECT TAX LAWS

**Total Marks:** 70  
**Marks Obtained :** 52.5

Group No. .... Paper No. ....  
 Subject ..... I.D.T  
 Number of Answer Books used : Main + ..... additional sheets

For use by ICAI only

566609



Q.No.	To be ticked (✓) by the candidate against the Questions answered	Marks Awarded (To be filled by Examiner)					Total
		a	b	c	d	e	
1	✓						
2	✓						
3	✓						
4	✓						
5							
6	✓						
7							
8							
9							
10							
11							
12							
13							
14							
Total							



06 DEC 2020

Use only Blue / Black Ball Point Pen to write and shade the circles.  
**AVOID RED PEN.**  
 Write the marks in the boxes before shading the respective circles.

Total Marks awarded

0	0
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9

Total Marks awarded (in words) \_\_\_\_\_

Examiner's Signature \_\_\_\_\_



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### INSTRUCTIONS TO THE CANDIDATE

#### Answers are not to be written on this page

1. Roll number should be written in figures and words in the allotted space at the right hand corner of the cover sheet only and nowhere else including additional answer book/s and graph paper.
2. Roll number should be written in the box in numbers and darken the appropriate circles of the OMR portion provided in the right hand corner of the cover page with **Black / Blue** ball point pen.
3. Fill particulars such as name of Examination, Group No., Paper No. and subject at the appropriate space at the left hand upper corner.
4. Remove the Bar Code sticker of the particular paper from the Attendance sheet and affix the same on the box provided in the right hand corner of the cover page.
5. Since a machine will read the Roll no., please check and ensure that Roll number written in numbers, words and circles darkened are correct. In case any candidate fills this information wrongly, Institute will not take any responsibility for rectifying the mistake.
6. The answers should be written neatly and legibly
7. The answer to each question must be commenced on a fresh page and question number prominently written at the top of each answer. Alternatively, the question number should be distinctly written in the margin.
8. The answer to each question in all parts should be fully completed in one page or in a consecutive set of pages, before the next question is taken up.
9. Writing of Roll number in place/s other than the space provided for the purpose or writing distinguishing mark, symbols like "OM", "Sri", "Jesus", "786", etc., will tantamount to adoption of "unfair means"
10. Before submission of answer book to the invigilator take care to score out (X) blank pages, if any, that you might have left.



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14 Q2

3



5 2a

Q.2. a)

DO NOT WRITE ANYTHING HERE

1 2aStep1

Particulars.	CGST	SGST.
i) Provided. Direct Selling Agent service to Y Bank Ltd. [As it is Direct selling agent who is a partnership firm, such services are not taxable under RCM]	36,000	36,000

DO NOT WRITE ANYTHING HERE

1.5 2aStep2

Services of supplying security personnel supplied by a person other than Body Corporate to a Registered person are taxable under RCM].

DO NOT WRITE ANYTHING HERE

iii)

Security services to PSR Trust. [Security services provided to URDC are taxable under RCM].	9,000	9,000
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Code: FN8IL566609  
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4

		4	
1.5	2aStep3		
<input type="checkbox"/>	iv) <del>Draw</del> Renting of Motor vehicle to Amaze Towers [ Renting of motor vehicle by a person other than a Body Corporate to a Body Corporate where the supplier does not charge 6% and taxable under RCM.]	-	-
<input type="checkbox"/>	v) Renting of Motor vehicle to Priti & Co. [As explained above, if renting of MV are provided to other than Body Corporate, taxable under RCM]	1000	1000
<input type="checkbox"/>	vi) Availed representational service from PB & Co. [ As per exemption notification, services provided by a partnership firm of advocates having to Business entity having such T/O in preceding FY which makes it eligible for exemption from registration are exempt. As MsARL	-	-
0.5	2aStep5		

DO NOT WRITE ANYTHING HERE





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5

in one started Business this year itself,  
it had 0-T/o in preceeding FY. and hence  
is eligible for exemption].

	Total Tax Liability.	46,000 CGST	46,000 SGST.
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Code: FN8IL566609  
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4 2b

2.  
Q. 5 b).

6  
Q. 2 b

i) As per Rule 32(2)(a).

where None of the currency exchanged is in INR, transaction value is 1% of the lower of the currencies exchanged at RBI reference rate.

↓ US Dollar = \$6000 × 72 = 432,000  
↓ Singapore Dollar = 9000 × 52 = 468,000

2 2bStep1

Hence,

Value of the Taxable Supply is  $1\% \times 432,000 = 4320$

ii) As per Rule 32,

for air travel agent,  
taxable supply of service shall be.

5% of Domestic Bookings.

10% of International Bookings.

[Calculated on Basic Fare.]



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7

2bStep2 Domestic Bookings

Basic Fare =  $700,000 \times 70\%$   
 $= 490,000$   
 $\times 5\%$  24,500

International Bookings

Basic Fare =  $15,00,000 \times 60\%$   
 $= 900,000$   
 $\times 10\%$  90,000

Total Taxable = 118,820.  
 value



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5 2c

8



Q. 2 c)

3 2cStep1

1 2cStep2

Particulars.	Amount.
Cost of Machine.	\$15,000
x Rate of Exchange. on the date of BE. 12/6/2020 (75)	75
	<u>₹ 11,25,000</u>
+ Rule 10(1) Adjustments. Commission charges paid in India.	25,000
Revised FOB.	<u>11,50,000</u>
+ Freight Charges ( $\$1500 \times ₹75$ )	1,12,500
+ Insurance. ( $\$250 \times ₹75$ )	18,750
Assessable Value.	<u>12,81,250</u>
Basic Customs Duty. (15%)	1,92,187.5

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9		
	SWS (10% on BCD)	19,218.75
1	2cStep3	
	IGST Payable (12%)	179,118.75
	Total Duty (Custom Duty Payable)	211,406.25
	Total IGST payable	179,118.75
Notes:		
i) Any Commission paid other than Buying Commission shall be added.		
ii) As Freight does not exceed 20% of the FOB, Actual Payable has been included.		
iii) Rate of Exchange is taken on the date of filing of Bill of Entry.		
iv) Rate of Duty is taken on the date of Bill of Entry or arrival whichever is later.		



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11

10



Q. 1.)

1

1 Step 1

Particulars.	CGST	IGST	SGST.
<u>Outwarded supply.</u>			
i) Supplied computers.	-	-	-
[Any outward supply made without consideration to an unrelated person is not in the purview of supply v/s 7(1) as no consideration is received] Brother in law is not a related person.			
ii) Supplied consignment of 10 laptops	108,000	-	-
[Bill to ship to case, & Receipt: M/s ZX Computers]			
iii) Provided stock counting services.	14,400		
[No specific case of sec 12, hence 12(2) determines POS which is registered place of receipt]			

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11

	1Step2	IGST	C	S.
<p>DO NOT WRITE ANYTHING HERE</p>	<p>2 iv). Renting service. (Renting of Resident dwelling as a residential purpose is exempt from GST). (Even though daily rent is charged, it is assumed that residential use was there).</p>	70000	-	-
<p>DO NOT WRITE ANYTHING HERE</p>	<p>v) Recovery agency services. (Recovery agent services are taxable under RCM).</p>	-	-	-
<p>DO NOT WRITE ANYTHING HERE</p>	<p>vi). <u>Advance received</u> For goods. For services. (900,000 - 500,000) = 400,000 x 18% [Advance for goods is not taxable. But for services it is taxable and ToS as per 13 is date of receipt of payment. In the absence of the Place of Supply info it is taken as inter-state supply]</p>	- 72000	- =	- 36,000 36,000



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3

1Step3

12



	vii) Goods supplied directly from Job workers premise.	<del>₹1,00,000</del>	-	-
<input type="checkbox"/>	[Goods supplied directly from Job workers premise are considered as supply made by the principal and shall be taxed by cum]. [₹100,000 is assumed to be the transaction value].	-	9000	9000

Other Outward liability

	i) Payment not made within 180 days.	-	-	-
--	--------------------------------------	---	---	---

1

1Step7

As the payment is not made within 180 days, it is taxable as per sec 16 and rules made there under.

But the condition of payment within 180 days from the date of invoice of supplier is not applicable when tax is paid on reverse charge.

Hence No outward liability arises for same].

<input type="checkbox"/>	Outward tax liability other than RCM.	122,400	45,000	45,000
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13



2 1Step5		I	C	S.
	<u>Inward supply</u>			
	i) <u>Imported goods.</u>	90,000	-	-
	[As per 16, ITC on the goods can be availed if used in course or furtherance of Bus <sup>n</sup> and supplier has valid Tax Invoice or Bill of Entry and has actually received the goods.]			
	(500,000 x 18%).			
	[500,000 is assumed as assessable value of goods].			
	ii) <u>Received, 15 invoices.</u>			
	(As only 12 invoices are uploaded only 95,000 of the ITC can be availed. And of the invoices remaining <del>up</del> <sup>are</sup> unuploaded. 10% of the eligible ITC or actual ITC whichever is lower can be availed as per the <del>&amp;</del> amended rule.)	100,000	-	-
	(Hence 10% of Eligible = 9500 )			
	Actual. = <span style="border: 1px solid black; padding: 2px;">5000</span> )			



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14



	I	C	S.
Outward Tax liability	122,400	45,000	45,000
Input Tax Credit	190,000	-	-
Balance Tax Payable	-	-	₹ 22,400
t) Outward RCM Payable. [ GTA services (Note 1) received from M/s Speed Teems ]	5000	-	-
<b>1</b> 1Step4			
<b>0</b> 1Step6			
	IGST	CGST	SGST
Tax Payable	5000	-	22,400
Total Tax Payable.	IGST → 5000		SGST → 22,400.

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15



Note 1 :

As T/O of Mr. Rishi in PY is 21 lakhs, hence, he is not exempted from registration as he is not eligible for 10/2019 (assuming he is engaged in inter state in last year as well).

As a result, GTA services provided to registered person are taxable and where GTA does not charge @ 12%, they are taxable @ 5% under RCM).

1Step8

RCM liability cannot be set off against ITC and is always payable in cash.

As M/s speed Beans is in Kolkata, POS under 12(2) is Maharashtra, hence, IGST is charged.



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10 Q3

16



3 3a

Q.3

a).

1 3aStep1

b) Time of supply for services under sec 13 is

when the Invoice is issued within time limit (30 days) of the provision of service,

Date of Invoice

or

Date of receipt of payment.  
(earlier).

Hence as advance is received in July, time of supply for such part of the supply is July.

Rate shall be determined as per Sec 14 as there is change in rate of Tax.

Date of provision of service = After. (11/11/17)

Date of issue of invoice = After. (25/11)

Date of receipt of payment = Before. (16/12)

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17



1

3aStep3

Hence Time of supply will be governed by sec. 14 and it will be Date of issue of invoice. (Rate 18% IGST) (25/11/2019).

$$\text{Tax Amt} = 100,000 \times 9\% = 9,000 \text{ each.}$$

For the additional deposit paid, as well, time of supply will be determined as per sec 14,

Date of provision of service = After. (1/11-31/11)  
" " Issue of invoice = After. (25/11)  
Date of receipt of money = Before. (18/8)

~~Tax Amount =~~

Time of supply is governed by sec 14 and it will be date of issue of invoice. (25/11/2019) (Rate 18%).

$$\text{Tax Amt} = 150,000 \times 9\% = 13,500 \text{ each. (Bal. of Taxable Amt).}$$

Hence total amount recoverable from customer.



# The Institute of Chartered Accountants of India

Code: FN8IL566609  
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0

3aStep2

18



Taxable value	250,000
+ GST (9%)	22,500
+ SGST (9%)	22,500
	<hr/>

Total Recoverable 295,000

-> Total Advance received. 300,000

1

3aStep4

Amount of refund to client. 5000

2

3b  
Q. 3

b).

As per the recent clarification issued by CBIC, cutting and polishing of diamonds without such goods being put to use in India would be eligible for exception u/s 13(3)(a) of IGST Act.

As per 13(3)(a) proviso, where goods are temporarily

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19



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3bStep1

imported into India and re-export for the purpose of repairs, treatment or any such process and are reexported without being put to use, POS shall be determined as per 13(2).

As per 13(2), POS shall be location of the recipient where the address is available.

DO NOT WRITE ANYTHING HERE

3bStep2

In the given case, M/s Aubit has imported rough rock diamonds and has exported them but after using such goods for the period of 3 months in India and hence in such case, as they are put to use in India, they are no longer eligible for exemption u/s 13(3)(B) proviso and POS shall be determined as per 13(3)(a).

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As per 13(3)(a), where goods are required to be provided by the recipient to the supplier for the purpose of providing



## The Institute of Chartered Accountants of India

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20



Services on them, POS shall be  
Place where such services are  
actually performed.

POS shall be = Haryana.  
(Assuming goods services are  
performed in Haryana).

As the POS is in India and also  
no convertible forex is received, it  
does not constitute to be an  
export of services.

Taxable @ 18% and amount  
of tax payable =  $12,00,000 \times 9\%$   
= 1,08,000 (CGST each)

3bStep3

Hence stand by M/s Ankit is  
incorrect as goods are taxable  
as POS is in India.

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5

3c

21



Q. 3 c).

Anti dumping margin shall be charged u/s 9B at the lower of

2

3cStep1

i) Injury margin  
or.

ii) Dumping margin.

Injury margin is the injury cause to the domestic industry and is calculated as diff. b/w.  
Landed value - FSP.

$$= 125 - 175 = \$ .50$$

2

3cStep2

Dumping margin is the price at which identical goods are exported to third country and the price paid by importer for such goods.

$$= 200 - 100 = \$ 100$$

1

3cStep3

Lower of the Two = \$ 50 per unit printed  
Circuit Board.

Hence ADD u/s 9B

$$\text{payable} = 1000 \times \$ 50 \times ₹ 75 \\ = ₹ 37,50,000$$



# The Institute of Chartered Accountants of India

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5 Q6

22



3 6a

Q. 6  
a).

Revisional Authority as per  
sec. 108.

1 6aStep4

Whenever any order passed by the  
subordinate officer is

i) prejudicial to the interest of the  
revenue.

ii) erroneous in so far as it does not  
take into account the relevant  
rules made under the act,

1 6aStep2

then Revisional authority may on  
its own motion, or on a reference  
by the SGST/ UGST Commissioner,  
inspect all the relevant information,  
document available on records  
in relation to such order passed.

No revisional order shall be passed  
after the expiry of 3 years from  
the date of order of ~~reference~~  
~~approval~~ proper officer.

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# The Institute of Chartered Accountants of India

Code: FN8IL566609  
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23



6aStep3



6aStep5

Any person aggrieved with the order passed by revisional authority may file an appeal to the appellate ~~authority~~ <sup>tribunal</sup> within the period of 3 months from the date of communication of the order.



6aStep1



Hence Mr. Mahendran should file an appeal with the Second Appellate authority (Appellate ~~authority~~) and not Adjudicating authority.

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1 6b

24



Q. 6 b).

i) A CTP is required to be compulsorily registered u/s 24 of the CGST Act.

However any exemption to the same is given u/s 23 of the Act.

1 6bStep1

where a CTP engaged in making inter state taxable supplies of notified products, where hand made by man predominantly ~~may~~ is exempted from obtaining registration provided the AT does not exceed 20 lacs in the financial year.

Though it should be ~~more~~ predominantly handmade by craftsmen, some part of machine may be used.

Conditions:

He is required to obtain PAN and compulsorily generate CWAY. Provided such goods are eligible, CTP is exempted from obtaining registration.

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25



ii).

Mr. Bantu is <sup>not</sup> engaged in inter state supplies in any of the states, as it is mentioned in the question.

Mr. Bantu will be eligible for exemption from registration as per Nat. 10/2019,

- i) where is T/O does not exceed 40 lakhs.
- ii) He is not required to get compulsary registered u/s 24.
- iii) He is not engaged in making outward supplies from Andhra Pradesh, ~~from~~ (whether or not taxable).

As he is engaged in making outward supplies in Andhra Pradesh he is not eligible for 10/2019.

6bStep2

Hence limit of AT is 20 lakhs and as <sup>AT</sup> is exceeding 20L. He is required to be registered in Delhi and Tamil Nadu.



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1

6c

26



Q. 6  
c)

→

When an assessee is unable to determine the rate of tax on the value of goods/services supplied by him, he shall make an application to the ~~the~~ proper officer for the assessment of duty on provisional basis.

The proper officer shall call for such records and additional information as are required by him and on being satisfied by the underlying cause, pass an order for assessing duty on provisional basis.

The order shall indicate the rate/value of goods or services or both assessed on provisional basis along with the amount of bond and security to be furnished.

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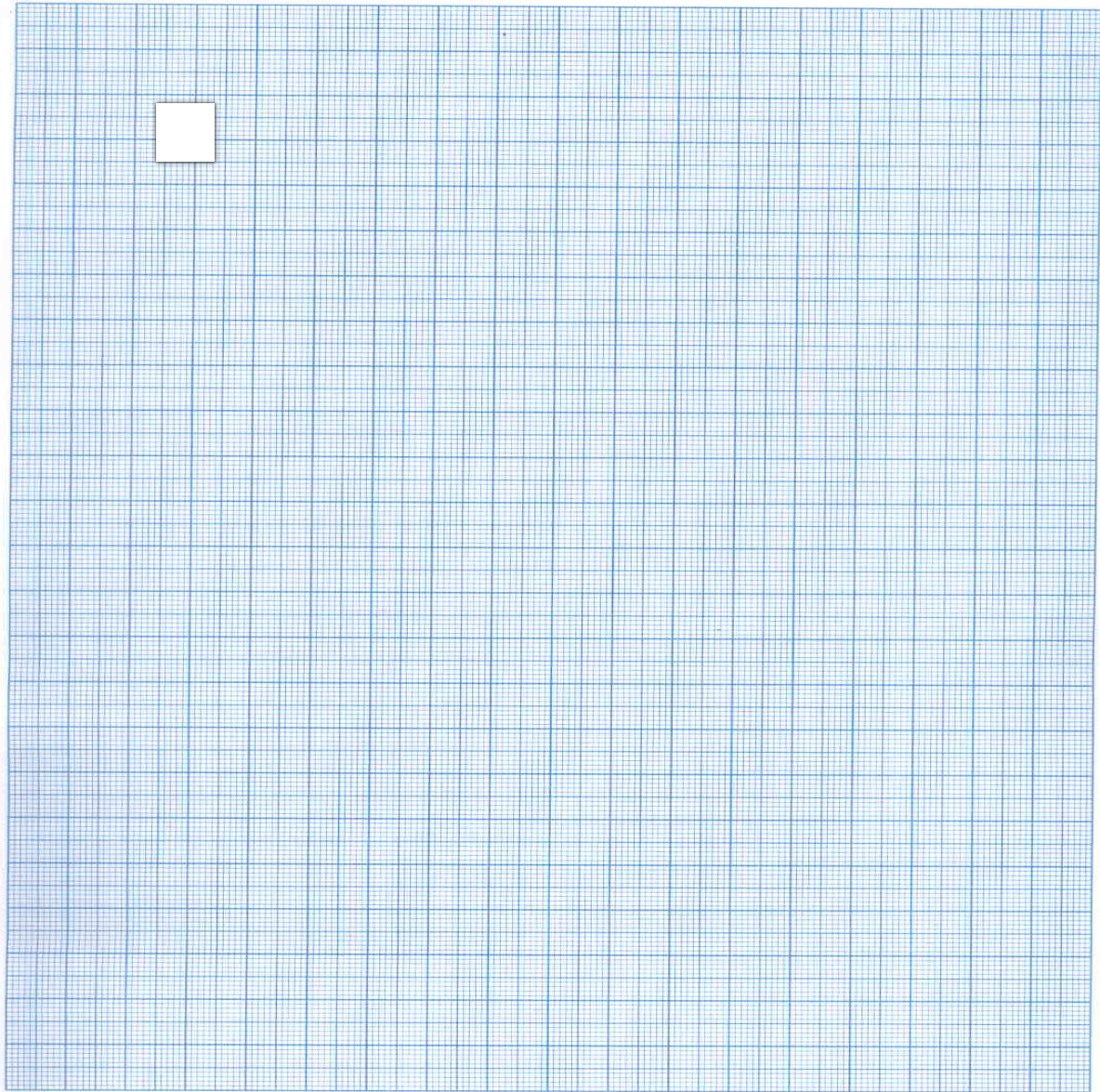


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27





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28



DO NOT WRITE ANYTHING HERE

0

6cStep1 time limit for  
completion of provisional  
assessment:

i) 6 months from the date of the  
order of proper officer assessing  
tax on provisional basis.

(can be further extended by AC/IC  
for further period of 6m and  
4 Commissioner by 4 years on  
sufficient cause being shown).

1

6cStep2

In case of Muz X,

time limit for completion of  
assessment is 29/10/2020 (i.e.

6 months from the date of provisional  
assessing order is passed  
on that date).

0

6cStep3






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6 DEC 2020

Addl. Book No. 1

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA  
ADDL. BOOK

DO NOT WRITE ROLL NUMBER ANYWHERE IN THIS ADDITIONAL ANSWER BOOK

Q4  
4a

Q. 4 a).

Particulars.	Maha.	Karnataka.	AP.	Kerala.
ITC exclusive for Bangalore.		12 (1 GST).		
ITC exclusive for Kerala & AP. [ 300,000 x [ 36 : 72 ] (each)			2 (1 GST).	2 (CGST) 2 (SGST)
ITC for all other. [ 48 - 12 - 6 = 30 ] [ 12 : 60 : 36 : 72 ]	2 (1 GST)	10 (1 GST).	6 (1 GST).	6 no (CGST) 6 (SGST)



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2

Debit note.	0.4	2.	1.2.	2.4.
[ 50 x 12% = 6 ]	(IGST)	(IGST)	(IGST)	(IGST).
Credit Note.				10.62.
[ 118 x 9% = 10.62 ]				(CGST)
				10.62.
				(SGST).
Total ITC Available.	2.4.	2.4	9.2.	↓
	IGST.	IGST.	IGST.	
1 4aStep1	<input type="text"/>	<input type="text"/>	<input type="text"/>	IGST = 2.4 L.
1 4aStep2				CGST = (2.62 L)
1 4aStep3			<input type="text"/>	SGST (2.62 L).
1 4aStep4	As the amount of the credit Note (ITC) exceeds the ITC of the debit Note and invoice, the same shall be payable by Kerala unit <input type="text"/>			
1 4aStep5				



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2.5 4b

3



DO NOT WRITE ANYTHING HERE

Q. 4  
b)

4bStep1

i) TDS v/s SI is not required to be deducted in case taxable goods or services are supplied interstate from any PSU to the Dept of Central Govt and hence. No TDS v/s SI shall be deducted in respect of same.

4bStep2

ii) As the contract value > 2.5L, TDS v/s SI is required to be deducted by Dept of CG. located in UP.

POS = UP and hence.

IGST @ 2% on 350,000 shall be deducted assuming private sector entity is located in Delhi.

~~IGST~~

TDS = 7000 IGST.

iii) In case of works contract as it is in relation to immovable property, POS as per 12(4) is the place of immovable property (Delhi) in which case as the location of the supplier and POS are a state different,

DO NOT WRITE ANYTHING HERE

DO NOT WRITE ANYTHING HERE



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1

4bStep3

4

then the location of receipt,  
No TDS v/s SI shall be deducted.

iv)

0.5

4bStep4

TDS is required to be deposited by  
the 10<sup>th</sup> of succeeding month in  
which it is collected and a  
return also has to be filed.

Failure to do so shall attract Interest  
@ 18% from 10<sup>th</sup> March to 14<sup>th</sup>  
May and also late fees for  
non filing of the statement of TDS.

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# The Institute of Chartered Accountants of India

Code: FN8IL566609  
Subject: INDIRECT TAX LAWS

Total Marks: 70  
Marks Obtained: 52.5

6 Dec 2020

Addl. Book No. 2

**THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA**  
**ADDL. BOOK**

**DO NOT WRITE ROLL NUMBER ANYWHERE IN THIS ADDITIONAL ANSWER BOOK**

5 4c

Q. 4

In case of goods that are used after being imported, the duty drawback v/s 75 shall be as reduced by each 3 months as the goods are put to use after their importation -

No. of months B/w date of payment of Duty & Let Export order.	Amount of DDB
Less than 3	95
3 - 6	85
6 - 9	75
9 - 12.	70



## The Institute of Chartered Accountants of India

Code: FN8IL566609  
Subject: INDIRECT TAX LAWS

Total Marks: 70  
Marks Obtained: 52.5

2



As the goods are reexported within  
the period less than 9 months,  
in such a case,

3

4cStep3

Duty drawback of 75% of  
the customs duty paid  
shall be available.



Hence amount of duty drawback  
is  $1500,000 \times 75\%$   
 $= 11,25,000$ .

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# The Institute of Chartered Accountants of India

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Subject: INDIRECT TAX LAWS

Total Marks: 70  
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## The Institute of Chartered Accountants of India

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Total Marks: 70  
Marks Obtained : 52.5

### Result Overview

Awarded Marks: **52.5**

Max Marks:70

NA Not Attempted

O Optional

M Marked

#### Q1\_Compulsory (Score: 11/14 )

Question No	Awarded Marks	Maximum Marks	Status
1	11	14	M

#### Q2\_Q6 (Score: 41.5/56 )

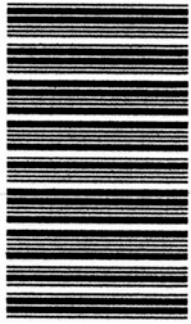
Question No	Awarded Marks	Maximum Marks	Status
Q2	14	14	M
2a	5	5	M
2b	4	4	M
2c	5	5	M
Q3	10	14	M
3a	3	5	M
3b	2	4	M
3c	5	5	M
Q4	12.5	14	M
4a	5	5	M
4b	2.5	4	M
4c	5	5	M
Q5	0	14	O
5a	0	5	O
5b	0	4	O
5c	0	5	O
Q6	5	14	M
6a	3	5	M
6b	1	4	M


6c	1	5	M
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### OMR ANSWER SHEET

Use Only H.B Pencil to darken the appropriate Circle.

Use Black Ball point pen to write in the Boxes →

<b>Roll Number</b>	<b>Paper No. (See Reverse)</b>	<b>Paper Code</b>	<b>OMR Sheet No.</b>
251953	8	GFC1	 7069062
1 1 1 1 1 2 2 2 2 2 3 3 3 3 3 4 4 4 4 4 5 5 5 5 5 6 6 6 6 6 7 7 7 7 7 8 8 8 8 8 9 9 9 9 9 0 0 0 0 0	2 3 4 6 7 8	A A A B B B C C C D D D E E E F F F G G G H H H I I I J J J K K K L L L M M M N N N O O O P P P Q Q Q R R R S S S T T T U U U V V V W W W X X X Y Y Y Z Z Z	
<b>MCQ Booklet Serial No.</b>			<b>Level of Exam</b>
4197918			Final INTERMEDIATE 1 FINAL 2
1 1 1 1 1 1 1 2 2 2 2 2 2 2 3 3 3 3 3 3 3 4 4 4 4 4 4 4 5 5 5 5 5 5 5 6 6 6 6 6 6 6 7 7 7 7 7 7 7 8 8 8 8 8 8 8 9 9 9 9 9 9 9 0 0 0 0 0 0 0			<b>Stream</b>
			New OLD 1 NEW 2

<b>Signature of Candidate with Pen</b>
<i>Mhan</i>
<b>Signature of Invigilator with Pen</b>
<i>Atome</i>
SPACE FOR CAI STAMP 
DATE OF EXAM → <b>06 DEC 2020</b>

1	A	2	B	3	C	4	D	16	A	17	B	18	C	19	D
2	A	B	C	D	20	A	B	21	A	B	C	22	A	B	C
3	A	B	C	D	23	A	B	24	A	B	C	25	A	B	C
4	A	B	C	D	26	A	B	27	A	B	C	28	A	B	C
5	A	B	C	D	29	A	B	30	A	B	C				

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