

CIRCULAR :-

The Principals of the affiliated colleges in Commerce are hereby informed that the recommendation made by the Faculty of Commerce at its meeting held on 12th March, 2009 has been accepted by the Academic Council at its meeting held on 21st April, 2009 vide item No. 4.55 and subsequently vide item No. 20 and that, in accordance therewith, in exercise of powers conferred upon the Management Council under Section 54 (1) and 55 (1) of the Maharashtra Universities Act, 1994 it has made **Ordinances 5863 and 5864** Regulations 8033, 8034, 8035, 8036, and 8037 relating to the Certificate Course in Indirect Taxes (Add-on-Course) is introduced from the academic year 2009-2010.

Further that the **Ordinances 5863 and 5864** and **Regulations 8033, 8034, 8035, 8036, and 8037** relating to the scheme of examinations and syllabus for the Certificate Course in Indirect Taxes (Add-on-Course) is as per Appendix and that the same has been brought into force with effect from the Academic Year 2009-2010.

MUMBAI-400 032

6th August, 2009

To,

PRIN.K.VENKATARAMANI
REGISTRAR

The Principals of the affiliated colleges in Commerce.

A.C/4.55/21/04/2009

M.C/ 20/22/05/2009

No. UG/ 300-A of 2009,

MUMBAI-400 032

6th August, 2009

Copy forwarded with compliments for information to: -

- 1) The Dean, Faculty of Commerce,
- 2) The Controller of Examinations,
- 3) The Co-Ordinator, University Computerization Centre.

(D.H.KATE)

DEPUTY REGISTRAR

(U.G./P.G. Section.)

Copy to: -

The Director, Board of College and University Development, the Deputy Registrar (Eligibility and Migration Section), the Director of Students Welfare, the Executive Secretary to the Vice-Chancellor, the Pro- Vice-Chancellor, the Registrar and the Assistant Registrar, Administrative sub-center, Ratnagiri for information

The Controller of Examinations (10 copies), the Finance and Accounts Officer (2 copies), Record Section (5 copies), Publications Section (5 copies), the Deputy Registrar, Enrolment, Eligibility and Migration Section (3 copies), the Deputy Registrar, Statistical Unit (2 copies), the Deputy Registrar (Accounts Section), Vidyanagari (2 copies), the Deputy Registrar, Affiliation Section (2 copies), the Professor-cum- Director, Institute of Distance Education, (10 copies) the Director University Computer Center (IDE Building), Vidyanagari (2 copies) the Deputy Registrar (Special Cell), the Deputy Registrar, (PRO) the Assistant Registrar, Academic Authorities Unit (2 copies) and the Assistant Registrar, Executive Authorities Unit (2 copies). They are requested to treat this as action taken report on the concerned resolution adopted by the Academic Council referred to in the above circular and that on separate

UNIVERSITY OF MUMBAI



Syllabus
for the
Certificate Course
in
Indirect Taxes
(Add-on course)

(Introduced from the academic year 2009-2010)

CERTIFICATE COURSE IN INDIRECT TAXES

Background of the Course:

In spite of high growth in the Direct Tax Collection over the years, the aggregate incidence of Indirect Taxes in India (including all State Governments and the Union Government.) is substantially higher as compared to the Tax incidence world wide.

Indirect Tax incidence results in increased Transaction Costs and affects competitiveness. Aggregate indirect tax incidence directly impacts business decisions. Hence, a reasonably good knowledge of various indirect taxes assumes increased significance for Trade and Industry.

The continued economic liberalization is likely to increase the share of the manufacturing sector in the country and also with the several SEZ coming up all over the country and increase in EXIM Trade, there is likely to a great need for skilled personnel to the Trade and Industry in the fields of excise, customs Sales Tax laws.

Also India is predominately a service sector oriented economy. The Service Tax which was introduced in 1994 in a small way is likely to exceed the combined collections of Central Excise and Customs. Even a marginal service provider who has a turnover of Rs.12 lacs and above are covered by Service Tax. The Service Tax Covers almost all facets of service industry right from the level of Photo studios to large scale Erection and Maintenance Contracts. The continued efforts of government to bring into tax net various Services, brings with it complications in compliance and administration as well.

There is also a move by the Union Government to migrate towards a unified GST (Goods & Service tax) regime as in the European Union by 2010.

All these will lead to increased need for skilled personnel to man positions at various levels of Trade and Industry. Also there is tremendous scope for self employment.

Objectives:

1. Achievement of the development of professional competence of the student.
2. To develop the skill among the students to tune to requirement of industrial employment or for self employment.
3. Direct the higher education towards social utility.
4. To provide skilled work force to local industries.
5. To educate the students with development in emerging areas of indirect taxes viz. Service tax; VAT and GST.
6. To acquaint the importance of inter disciplinary approach in the study of accountancy, commerce and indirect taxation.
7. To recognize the impact of Indirect Taxes in the competitiveness of Indian Industry
8. With the increased reliance on voluntary compliance and self assessment procedure, any violation of law attracts severe penalties and to develop the awareness of the same to trade and industry.
9. To develop the practical knowledge of Indirect Taxes through on the job practical training.

Goal: To provide skilled work force to the industry to help greater compliance of law and also to the government in reducing the cost of tax collection.

Benefits to the Society:

1. Indirect Tax affects even a small trader or a service producer. As mentioned elsewhere, the State and Union governments have given up the age old procedure of assessment of tax by the departmental staff, giving way to greater compliance of law, which has resulted in self assessment by the tax payer himself. However any violation of law attracts severe penalties and prosecution even if it is unintentional. A skilled work force will help taxpayers to reduce litigation and cost of compliance of law and help to develop the business.
2. The better compliance of law will reduce the cost of collection of tax to the government, which is one of the highest in the world.

05863-Title

05864-Eligibility

05833-Duration

05834-Intake Capacity

05835-Structure of the Course
practical and on job training report

Paper I

Central Excise
and Customs Duty

: 90 hrs (I Term &/or II Term)

: 90 hrs (I Term &/ or II Term)

Paper II

Service Tax and
Maharashtra Value
Added Tax and CST

Practical and on Job
Industrial Training

:120 Hrs (I Term &/ or II Term)

➤ Valuation Audit

Details of the Course

: Certificate Course in Indirect
Taxes

: H S C (Any stream)

: One Year

: 30 - 40 students

: Two theory papers and one

R 8036

Teaching and Evaluation Scheme

Sr	Paper	Credits	Lecture Hours	Examination Scheme		
				Internal	External	Total
				Marks		
1	Paper I Central Excise and Customs Duty	06	90	40	60	100
2	Paper II Service Tax and Maharashtra Value Added Tax and CST	06	90	40	60	100
3	Practical Course (Including drafting of Appeal Documents)	04	60	50		50
4	Practical Course – On Job Industrial Training	04	60		50	50
Total		20	300	130	170	300

R-8037

Fee Structure and Qualification of the Teacher

Fee Structure: Maximum Rs 3,000 per annum

Qualification of Faculty:

The following persons shall be qualified to teach in the Course

- 1) Chartered Accountant
- 2) Serving or Retired Officers of the Department of Central Excise, Customs and Service Tax, Government of India not below the Rank of Inspector.
- 3) Serving or Retired Officers of the Department of Sale Tax Government of Maharashtra not below the rank of Inspector
- 4) M A (English)
- 5) Bachelor of Law

Mumbai University

Certificate Course in Indirect Tax

Syllabus

Paper I Central Excise and Customs Duty

90 hrs (I Term &/or II Term)

Central Excise

Basic Concepts (6hrs)

- Excise Duty, Concepts of Levy and Taxable Event
- Goods-Movability and Marketability, Intermediate Products, Excisable Goods.
- Manufacture-Ambit and Scope, Deemed Manufacture, Manufacturer

Classification (6 hrs)

- Meaning of Classification, Central Excise Tariff Act, 1985, Harmonized System of Nomenclature
- Rules for interpretation of Tariff and General Explanatory Notes to HSN
- Trade Parlance Theory and other principles of classification

Valuation (12 hrs)

- Basis of payment of Excise Duty, Specific Duty, Ad valorem Duty, Tariff Value
- Definition-Assesse, Related Person, Place of Removal, Transaction Value and Normal Transaction Value
- Inclusions in and Exclusions from Transaction Value
- Central Excise Valuation (Determination of Price of Excisable Goods) Rules , 2000
- Valuation Based on Retail Selling Price – Section 4 A
- Valuation Audit

CENVAT Credit (12 hrs)

- VAT, Cascading Effect, Features of CENVAT Scheme
- Definition of Inputs, Input Services, Output Service, Job Work, Capital Goods, Exempted Goods, Exempted Service and Final Products
- CENVAT Credit, Conditions for Availing CENVAT Credit, Refund of CENVAT Credit
- Documents and Accounts, Transfer and Recovery of CENVAT Credit
- CENVAT Audit
- Accounting entries for CENVAT

General Provisions (5 hrs)

- Controls on Central Excise Assessee and Administrative Set Up under Central Excise
- Duty Payable on Removal and Date for determination of Rate of Duty and Tariff Valuation
- Assessment, Provisional Assessment and Payment of Duty
- Registration, Records, Invoice System and Remission of Duty
- Classification and Penalties, Payment of Duty under Protest and Adjudication
- Excise Audit, Samples and Bonds and Other Provision

Export, Warehousing and SSI (5 hrs)

- Export under claim for rebate to a place other than Nepal and Bhutan
- Export without payment of duty to a place other than Nepal or Bhutan
- Export without payment of duty to Nepal or Bhutan
- Export on payment of duty to Nepal
- Miscellaneous provision relating to Export
- Procedure for removal of goods at concessional rate of duty for manufacture of excisable goods
- Warehousing of excisable goods
- Provisions and exemptions relating to SSI Units

Basic Concepts (6 hrs)

- Constitutional Authority for Levy of Customs Duty, Body of Customs Law and Definitions
- Taxable Event and Date for Determination of Duty and Tariff Valuation
- Assessment, Provisional Assessment, Liability of Goods Imported in Sets
- Pilfered Goods, Damaged or Deteriorated Goods, Lost or Destroyed Goods
- Derelict, Jetsam etc., Denatured or Mutilated Goods, Re imported Goods
- Officers of Customs-Their appointments and Powers
- Appointment of Customs Stations, Warehousing Stations, etc., Central Governments Power of Prohibition, Detection of Illegally Imported and Exported Goods

Customs Tariff and Types of Customs Duties (5 hrs)

- Brief Introduction to Customs Tariff Act, 1975
- Various Types of Duties Levied under Customs Tariff Act, 1975

Valuation (5 hrs)

- Determination of Value, Application of Valuation Rules, Concept of Tariff Value
- Valuation of Imported Goods: Transaction Value, Related Persons, Valuation in case Goods are sold to Related Persons
- Valuation of Imported Goods: Identical Goods, Similar Goods, Transaction Value of Identical Goods and Similar Goods
- Valuation of Imported Goods: Deductive Value, Computed Value, Residual Method of Valuation
- Valuation of Export Goods

Importation and Exportation (5hrs)

- Flow pattern of Import
- Provisions relating to Conveyances Carrying Imported Goods
- Flow Pattern of Export
- Custodians of Cargo and Clearance of Imported Goods
- Cleanse of Export Goods
- Transit and Transshipment of Goods

Warehousing (4hrs)

- Appointment of Public Warehouses and Licensing of Private Warehouses
- Warehousing Bond , Warehousing Period

- Owner's Right to deal with Warehoused Goods, Manufacture in Warehouse etc.
- Removal of Goods from Warehouse and Improper Removal of Goods from Warehouse

Duty Drawback (4hrs)

- Drawback allowable on Re export of duty paid goods
- Re export of Imported Goods (Drawback of Customs Duties) Rules 1995
- Drawback on Imported Materials used in the Manufacture of Goods which are Exported
- Customs, Central Excise Duties and Service Tax Drawback Rules 1995

Baggage, Postal Articles and Stores (2 hrs)

- Baggage
- Postal Articles, Import and Export through Courier
- Stores, Coastal Goods

Search, Seizure, Confiscation etc. (3 hrs)

- Search of Persons, Premises, Conveyances and Seizure of Goods, Documents and Things
- Confiscation of Goods, Conveyances and Penalty on Improper Importation and Exportation
- Burden of Proof and Redemption Fine
- Other Miscellaneous Provisions

Common Topics Under Excise and Customs

Exemptions, Recoveries, Demands and Refunds (5hrs)

- Power of Central Government to grant exemption from duty
- Recovery of sums due to Government
- Demands, Interests thereon and Penalties
- Refunds Interests thereon and other provisions

Appeals and Revision (5hrs)

- Appeal to Commissioner (Appeals)
- Appeal to the Appellate Tribunal
- Appeal to the High Court and the Supreme Court

- Revision and other provisions
- Advance Rulings and Settlement of Cases
- Advance Rulings and Authority for Advance Rulings (Central Excise, Customs and Service Tax)
- Settlement of cases and Customs & Central Excise Settlement Commission
- Offenses and Prosecution

Paper II Service Tax and Maharashtra Value Added Tax and CST 90 hrs (I Term &/or II Term)

Service Tax

Concept, Charge, Valuation & Provision (10 hrs)

- Concept, Constitutional Authority, Body of Law, Extent and Salient Features
- Classification, Export and Import of Services
- General Exemption from Service Tax
- Valuation of Taxable Services
- Procedure under Service Tax Law

Taxable Services and Scope (35 hrs)

- Taxable Services – Scope with Specific Exemptions
- Abatement and Other Specific Exemption

Maharashtra Value Added Tax and CST

Definitions (5hrs)

- Business, trade, commerce, manufacture etc.

Incidence and Levy of Tax (4 hrs)

- Incidence of Tax,
- Taxes Payable
- Taxes not leviable on certain goods
- Levy of taxes on goods specified in schedules
- Certain Sales and Purchases not liable to tax

Sales Tax Authorities (1 Hr)

Registration (2 hrs)

- Registration
- Fresh Registration
- Information regarding Change in Business

Returns and Assessment (6hrs)

- Return and Self Assessment
- Audit
- Assessment
- Rectifications of mistakes
- Review
- Appeals
- Classification of Turnover
- Penalty and Interest

Payment of Tax and Recovery (2hrs)

- Deduction of Tax at source,
- Payment of tax,
- Special mode of recovery,
- Composition of tax
- Set off, Refund etc

Proceedings (2hrs)

- Advance Rulings
- Determinations of disputes
- Audit f accounts,
- Power to transfer proceedings
- Liability to produce Accounts
- Survey, Check posts, Transit pass

Offences and Penalties (3 hrs)

Miscellaneous (5 hrs)

- Tax Invoice,
- Memoranda of Purchase and Sales

Central Sales Tax Act (15 hrs)

- Definition
- Goods, Sale, Dealer
- Charging Section of CST
- Meaning of Inter State Sale
- Inter State Sale by Transfer of Documents
- Quantum of CST, Concessions and Exemptions
- Procedures in CST

Practical 15 practicals (60 hrs)

Preparation of the following Documents and Records

- 1) Central Excise Invoice (Manufacturer)/Export
- 2) Central Excise Invoice (Dealer)/Export
- 3) Daily Stock Account for Finished Goods
- 4) CENVAT credit and utilization Records
- 5) Personal Ledger Account
- 6) Stock Account of inputs
- 7) Challan for sending inputs/intermediate goods to Job Worker
 - a. Under Rule 4(5)(a)
 - b. Under Notification 214/86
- 8) Registers to be maintained for sending inputs/intermediate goods to job worker and receipt of the same
- 9) Preparation of Tax Payment Challan GAR 7
- 10) Return of Excise ER7
- 11) Return of Service Tax ST 3
- 12) Application for Registration under Service Tax and Excise
- 13) Invoice under Service Tax
- 14) Application for Registration under MVAT/CST
- 15) Return under MVAT/CST

Practical and on Job Industrial Training (60 hrs)

Each student will be required to under go training in any of the following type of Organisations

A Manufacturing Units Registered under Central Excise Type of Training

- 1) Procedure for Despatch/Export of goods including Documentation and maintenance of Records
- 2) Preparation of Tax Challans and PLA Records & Input , CENVAT Credit Records
- 3) Procedure for sending inputs to job worker including Documentation and maintenance of Records
- 4) Filing of CST/MVAT Returns

B Service Provider Registered under Service Tax Type of Training

- 1) Preparation of Invoice
- 2) Maintenance of Records relating in Input Service tax Credit and utilization
- 3) Filing of Service Tax Return

C Custom House/ Clearing and Forwarding Agent Type of Training

- 1) Preparation for Documents and procedure for clearing import and export of goods under Customs Act

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