Paper - 6C - "Control F" - INDEX - International Taxation MAY/NOV- 22 EXAMS

Topic -	1:	Transfer	Pricing
---------	----	----------	----------------

Section	Content	ICAI Module Pg. No.	Compact Vol-2 Pg. No.
92	Charging Section	1.10	1
92A	Associated Enterprise	1.11	2
92B	International Transactions	1.16	1
92BA	Specified Domestic Transactions	1.20	26
92C	Computation of ALP	1.22	4
	Comparable Uncontrolled Price Method	1.23	4
	Resale Price Method	1.26	5
	Cost Plus Method	1.28	6
	Profit Split Method	1.30	6
	Transactional Net Margin Method	1.32	8
	Other Method as may be Prescribed by the CBDT	1.35	-
	Tested Party	1.38	-
	Selection of Profit Level Indicator	1.38	-
	Rule 10CA Range Concept	1.40	9
	Functions, Assets and Risk (Far) Analysis	1.44	-
	Concept of Comparability Adjustments	1.48	-
92D	Information and Documents to be kept and Maintained Under Section 92D	1.50	25
92E	Audit Report of CA 3CEB	1.57	25
	Penalty	1.59	25
286	Country-By Country Report	1.59	27
	Master File	1.64	30
93C(3)	Power of Assessing Officer to Determine ALP	1.70	9
92CA	Reference to Transfer Pricing Officer	1.71	15
92CE	Secondary Adjustment	1.73	20

144C	Dispute Resolution Mechanism	1.78	Refer DT
	Appeals To CIT(A),ITAT, HC, SC	1.80	Refer DT
92CB	Safe Harbour Rules	1.83	16
92CC &92CD	Advance Pricing Agreements	1.83	17
	Mutual Agreement Procedure (Map)	1.98	-
93	Transfer of Income to Non-Residents	1.102	31
94A	Notified Jurisdictional Area	1.104	26
94B	Limitation of Interest Deduction	1.107	31

Topic-	2: Taxation of Non-Residents		
	Important Definitions	2.3	-
4	Charge of Income Tax	2.6	-
6	Residential Status	2.7	33
	Place of Effective Management (POEM)	2.11	37
115JH	Transition Mechanism for a Company Incorporated Outside India and has not been Assessed to tax earlier	2.22	43
5	Scope of Total Income	2.29	47
7	Income Deemed to Be Received in India	2.29	48
9	Income Deemed to Accrue or Arise in India	2.30	49
	Business Connection	2.32	50
	Income Through Transfer of a Capital Asset Situated in India (Indirect Transfer)	2.35	53
	Income from Salaries Earned in India	2.39	56
	Income from Salaries Payable by the Government for Services Rendered Outside India	2.39	56
	Dividend Paid by a Indian Company Outside India	2.39	56
9(1)(v)	Interest	2.40	57
9(1)(vi)	Royalty	2.41	57
9(1)(vii)	Fees for Technical Services	2.44	59
9(1)(viii)	Money gifted by Resident to NR or FC	2.45	60
9A	Eligible Investment Fund & Eligible Fund Manager	2.45	61

	international raxation Control—1	1	
	Exempt Income of Non-Residents	2.49	64
	Presumptive Taxation for Non-Residents	2.66	Refer DT
44B	Shipping Business in the Case of Non- Residents	2.66	PGBP
172	Same	2.67	PGBP
44BB	Business of Exploration Etc. of Mineral Oils of NR	2.70	PGBP
44BBA	Business of Operation of Aircraft in the Case of Non-Residents	2.71	PGBP
44BBB	Foreign Companies Engaged in the Business of Civil Construction Etc. in Certain Turnkey Power Projects	2.73	PGBP
44C	Deduction in Respect of Head Office Expenses in Case of Non-Residents	2.74	PGBP
44DA	Special Provision for Computing Income by way of Royalties Etc. in Case of Non-Residents	2.77	PGBP
2(14)	Meaning of Capital Asset	2.78	Refer DT
	Short Term and Long-Term Capital Asset	2.82	Refer DT
47	Transactions Not Regarded as Transfer	2.84	Refer DT
48	Mode of Computation of Capital Gains	2.89	Refer DT
	First Proviso to Section 48 Read with Rule 115A	2.91	Refer DT
	Fifth Proviso to Section 48	2.94	Refer DT
111A	Tax on Short Term Capital Gains in Respect of Equity Shares/ Units of An Equity Oriented Fund/ Units of A Business Trust	2.97	Refer DT
112	Tax on Long Term Capital Gains	2.98	Refer DT
112A	Tax on Long Term Capital Gains on Certain Assets	2.99	Refer DT
XII-A	NRI Taxation	2.109	74
115A	Royalty, Fees for Technical Service, Interest Etc.	2.114	76
115AB	Income from Units Purchased in Foreign Currency or Capital Gains arising from their Transfer in Case of Off-shore Fund	2.117	77
115AC	Income from Bonds or Global Depository Receipts Purchased in Foreign Currency or Capital Gains Arising from their Transfer	2.118	78

	International raxation Control – I	1	T
115AD	Income of Foreign Institutional Investors From Securities or Capital Gains arising from their Transfer	2.119	79
115BBA	Computing Tax on Non-Resident Sportsmen or Sports Associations	2.124	80
115JB	Applicability of Mat on Foreign Companies	2.127	Refer DT
	Taxation of GDR	-	81
115JG	Conversion of Indian Branch of a Foreign Bank into a Subsidiary Company	2.131	84
192	TDS on Salary	2.134	Refer DT
192A	Withdrawal of EPF	2.135	Refer DT
194B & 194BB	TDS on Winning	2.136	Refer DT
194E	Payments to Non-Resident Sportsmen Or Sports Association	2.137	Refer DT
194G	Commission on the Sale of Lottery Tickets	2.138	Refer DT
194LB	Interest from Infrastructure Debt Fund	2.138	Refer DT
194LBA	Income from Units of a Business Trust to Non-Resident	2.138	Refer DT
194LBB	Income of Units of Investment Fund to Non-Resident Unit Holders	2.139	Refer DT
194LBC	Income in Respect of Investment Made in a Securitisation Trust	2.140	Refer DT
194LC	Income by way of Interest from an Indian Company	2.141	Refer DT
194LD	Interest on Government Securities or Rupee- Denominated Bonds of an Indian Company Payable to a Foreign Institutional Investor (FII) or a Qualified Foreign Investor (QFI)	2.142	Refer DT
194N	Withdrawal of Cash > 1 Crore	2.143	Refer DT
195	Payment of any other sum to Non-Resident	2.145	Refer DT
195A	Income Payable Net of Tax	2.151	-
196B	Income from Units	2.152	-
196C	Income from Foreign Currency Bonds or Shares of Indian Company	2.152	-
196D	Income of Foreign Institutional Investors from Securities	2.152	-
197	Certificate for Deduction of Tax at a Lower Rate	2.153	Refer DT

	caaaaaaaa	_	
199	Credit for Tax Deducted at Source	2.153	Refer DT
206AA	Mandatory Requirement of Furnishing PAN in all Tds, Bills, Voucher and Correspondence between the Deductor and Deductee	2.156	Refer DT
139(1)	Furnishing of Return of Income	2.160	Refer DT
160	Who may be regarded as Representative Assessee	2.162	Refer DT
163	Who may be regarded as Agent	2.162	Refer DT
161	Liability of Representative Assessee	2.162	Refer DT
162	Rights of Representative Assessee to Recover Tax Paid	2.163	Refer DT
228A	Recovery Against the Assessee's Property in Foreign Countries	2.163	Refer DT
285	Submission of Statement by a Non-Resident having Liaison Office	2.164	-
285A	Furnishing of Information or Documents by an Indian Concern (Explanation 5 to section 9(1)(i))	2.165	84
Topic-3	: Double Taxation Relief	•	•
	Types of Relief	3.3	86
90	Agreement with Foreign Countries or Specified territories - Bilateral Relief	3.4	86
90A	Double taxation relief to be extended to agreements between Specified Associations adopted by the CG	3.9	87
91	Countries with which NO agreement exists – unilateral agreements	3.12	88
	Concept of Permanent Establishment (PE)	3.21	89
	Taxation of business process outsourcing Units (BPO) in India	3.22	89

Topic-4: Advance Ruling			
245N	Advance Ruling & Applicant	4.2	91
245-O	Constitution of AAR	4.4	94
245-OA	Qualifications, Terms and Conditions of Service of Chairman, Vice Chairman and Members	4.6	95
245-P	Vacancies, Etc., not to Invalidate Proceedings	4.7	96

CA FINAL PAPER 6C

	International Taxation " Control – F "	T	1
245-Q	Application for Advance Ruling	4.8	92
245-R	Procedure on Receipt of Application	4.8	92
245S	Binding of Advance Ruling (ONLY AAR)	4.10	93
245T	Advance Ruling to be Void in Certain Circumstances (AAR/BAR)	4.10	93
245U	Powers of the Authority (AAR/BAR)	4.11	-
245V	Procedure of Authority (AAR/BAR)	4.11	-
	Board for Advance Ruling (BAR)	4.13	95
245-OB	Constitution of BAR	4.13	95
245 W	Appeal against BAR order	4.16	96
Topic-5	: Black Money & Imposition of Tax La	aw	
3	Charge of tax	5.2	Check
3(2)	Value of an undisclosed asset	5.4	Revision Lecture
	FMV of an asset (other than bank account) transferred before the valuation date	5.8	from YouTube
	Rate of conversion of currency used to determine FMV of an asset	5.9	
4	Scope of total undisclosed foreign income and asset	5.10	
5	Computation of total undisclosed foreign income and asset	5.11	
6	Tax Authorities	5.12	
7	Change of incumbent	5.12	
8	Powers regarding discovery and production of evidence	5.12	
9	Proceedings before tax authorities to be judicial proceedings	5.14	
10	Assessment	5.15	
11	Time limit for completion of assessment and reassessment	5.15	
12	Rectification of mistake	5.16	
13	Notice of Demand	5.17	
14	No bar on Direct Assessment or Recovery	5.17	
15	Appeal to Commissioner (Appeals)	5.17	
18	Appeal to Appellate Tribunal (ITAT)	5.19	
19	Appeal to High Court	5.20	
			-

CA FINAL PAPER 6C

	international raxation Control – i	
21	Appeal to Supreme Court	5.21
23	Revision of orders prejudicial to revenue	5.22
24	Revision of other orders	5.23
30	Recovery of tax dues by Assessing Officer	5.25
31	Recovery of tax dues by Tax Recovery Officer	5.26
32	Modes of recovery of tax dues	5.26
33	Tax Recovery Officer by whom recovery of tax dues is to be effected	5.26
34	Recovery of tax dues in case of a company in liquidation	5.26
35	Liability of manager of a company	5.26
36	Joint and several liability of participants	5.26
37	Recovery through State Government	5.27
38	Recovery of tax dues in pursuance of agreements with foreign countries or specified territory	5.27
39	Recovery by suit or under other law not affected	5.27
40	Interest for default in furnishing return and payment or deferment of advance tax	5.28
41-47	Penalties	5.28
48-58	Offences and Prosecution	5.31
73	Agreement with foreign countries or specified territories	5.35
74	Service of notice generally	5.36
75	Authentication of notices and other documents	5.37
76	Notice deemed to be valid in certain circumstances	5.38
77-78	Appearance by approved valuer in certain matters or authorized representative	5.38
79	Rounding off of income, value of asset and tax	5.38
80	Cognizance of offences	5.38
81	Assessment not to be invalid on certain grounds	5.39
82	Bar of suits in civil courts	5.39

г	international raxation Control—1		_
83	Income-tax papers to be available for the purposes of this Act	5.39	
84	Certain provisions of the Income-tax Act to apply to this Act	5.39	
86	Power to make Rules & Power to remove difficulties	5.39	
88	Amendment of PMLA	5.39	
Topic-6:	Equalisation Levy		
165 & 165A FA, 2016	Charge of Equalisation Levy	6.11	103
166 & 166A	Collection and recovery of Equalisation levy	6.13	105
167	Furnishing of statement (Return)	6.15	106
168	Processing of statement	6.16	106
169	Rectification of mistake	6.17	107
170	Interest on delayed payment of equalisation levy	6.18	105
171	Penalty for failure to deduct or pay equalisation Levy	6.18	105
172	Penalty for failure to furnish statement	6.19	107
173	Circumstances when penalty cannot be imposed under section 171 and 172	6.19	107
174	Appeal to Commissioner of Income-tax (Appeals)	6.19	107
175	Appeal to ITAT	6.19	107
176	Punishment for false statement	6.20	108
177	Institution of prosecution	6.20	-
178	Application of Certain provisions of Income-tax Act, 1961	6.21	-
179	Power to make rules	6.22	-
180	Power to remove difficulties	6.23	-
10(50) IT Act	Exempt income	6.25	108
40(a)(ib)	Disallowed Expenses if equalisation levy not deducted or paid to Govt.	6.25	108
	ı	1	1

	International Taxation " Control – F "		T-
194-O	TDS on online transactions	6.26	Refer TDS TOPIC
-	7: Tax Treaties: Overview, Features, A etation	pplicatio	n &
	Source(s) of International Tax Law	7.2	
	Double Taxation and Connecting Factors	7.3	
	Types of DTAAs	7.5	
	Directive Principles set out in the Indian Constitution	7.6	
	Need for tax treaties	7.6	
	Tax Information Exchange Agreements: An Overview	7.8	
	Scope and objective of TIEA and Jurisdiction	7.9	
	Exchange of Information upon request Article-5	7.9	
	Possibility of declining a request Article -7	7.10	
	Confidentiality - Article 8	7.10	
	Basic Features of Tax treaties	7.14	
	Structure of Tax Treaties UN/OECD model	7.17	
	Interpretation of Tax Treaties	7.22	
	Principles enunciated in the Vienna Convention on Law of Treaties (VCLT)	7.22	
	Basic Principles of Interpretation	7.28	
	Golden Rule – Objective Interpretation	7.29	
	Subjective Interpretation	7.29	
	Purposive Interpretation	7.29	
	Objectives of Tax Treaties	7.29	
	The Principle of Effectiveness	7.31	
	Principle of Contemporanea Expositio	7.31	
	Liberal Construction	7.31	
	Treaty as a Whole – Integrated Approach	7.32	
	Reasonableness and consistency	7.32	
	Extrinsic Aids to Interpretation of a Tax Treaty	7.32	
	Ambulatory v. Static Approach	7.37	

	Process of negotiating a tax treaty	7.38
Topic-8	: Anti Avoidance Measures	
	Adverse Effects of BEPS	8.2
	Need for International Collaboration	8.3
A.P1	Addressing the Challenges of The Digital Economy	8.6
	OECD Recommendations	8.7
	Indian Taxation Regime	8.8
A.P2	Neutralise the Effects of Hybrid Mismatch Arrangements	8.10
	OECD Recommendations	8.12
	Branch Mismatches	8.13
A.P3	Strengthen Controlled Foreign Company (CFC) Rules	8.14
	Building Blocks	8.15
	Indian Taxation Regime	8.16
A.P4	Interest Deductions and Other Financial Payments	8.16
	OECD Recommendations	8.17
	Indian Taxation Regime	8.18
A.P5	Counter Harmful Tax Practices	8.19
	Indian Taxation Regime	8.22
A.P6	Preventing Treaty Abuse	8.22
	Indian Tax Regime	8.25
A.P7	Prevent the Artificial Avoidance of Permanent Establishment (PE) Status	8.27
A.P8-10	Transfer Pricing Outcomes in Line with Value Creation/Intangibles/Risk and Capital and Other High-Risk Transactions	8.30
A.P11	Measuring and Monitoring BEPS	8.33
	Indicators of BEPS Activity	8.33
A.P12	Disclosure of Aggressive Tax Planning Arrangements	8.35
A.P13	Re-Examine Transfer Pricing Documentation	8.38
A.P14	Making Dispute Resolution More Effective	8.44
A.P15	Developing A Multilateral Instrument	8.47

CA FINAL PAPER 6C

	International Taxation " Control – F "		
	Features of MLI	8.48	
	Coverage of MLI	8.49	
	Structure of MLI	8.51	
	Key Organs of MLI	8.51	
95-101	The Indian GAAR	8.62	
Topic-9	: Model Tax Conventions		
Art. 1	Persons Covered	9.7	
Art. 2	Taxes Covered	9.8	
Art. 3	General Definitions	9.10	
Art. 4	Resident	9.12	
Art. 5	Permanent Establishment	9.16	
Art. 7	Business Profit	9.26	
Art. 11	Interest	9.32	
Art. 12	Royalty	9.36	
Art. 12A	Fees for Technical Service (UN model)	9.39	
Art. 13	Capital Gain	9.42	
Art. 14	Independent Personal Service (UN Model)	9.45	
Art. 21	Other Income	9.47	
Art. 23	Method for eliminating double taxation	9.48	
Art. 23A	Exemption Method	9.49	
Art. 23B	Credit Method	9.52	
Art. 24	Non discrimination	9.53	
Art. 25	Mutual Agreement Procedure	9.56	
Art. 26	Exchange of Information	9.61	
	Summary of all article	9.67	
RULES			
Rule 11UB	Fair market value of assets in certain cases	A.1	
Rule 11UC	Determination of Income attributable to assets in India	A.5	
Rule 115	Rate of exchange for conversion into rupees of income expressed in foreign currency	A.7	

Rule 37BB	Furnishing of Info. Where payment made to NR or FC (15CA & 15CB)	A.9
Rule 114DB	Information or documents to be furnished under section 285A	A.12
Rule 128	Foreign Tax Credit	A.14
	MAP Guidance Notes	A.15