DIRECTORATE OF DISTANCE EDUCATION
NALSAR UNIVERSITY OF LAW, HYDERABAD

Post-Graduate Diploma in Cyber Laws (Batch 2020 – 2021)

Take Home – Annual Examination (June, 2021)

Paper II – 1.2. E-Commerce & Taxation

TOTAL MARKS: 100

INSTRUCTIONS TO CANDIDATES

a) **Read the instructions for Take Home Examination carefully and adhere to the same.**
b) ***Please mention your name, ID No., subject name and total number of pages on the Answer Sheet.***
c) ***Clearly indicate the question numbers while answering them.***
d) ***Answer all the four questions and each question carries 25 marks.***
e) ***The answer for the 25 marks question should be written in 1200 - 1500 words and for the 5 marks it should be 250 words.***
f) ***Since this is a take home exam, we expect your answers to be analytical rather than straight answers.***
g) **Copying from any source including from other students is strictly prohibited. Plagiarism is considered as a serious academic mis-conduct and the University will take action as it deems fit.**

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1. OECD under BEPS Action 1 has introduced its report on accommodating interest of various contracting and customer state to share the revenue on the basis of Pillar I formula. Write a brief about the Pillar I recommendation and its impact on India.

2. Indian government in its budget of year 2020 has introduced the levy of Equalization levy on B2C transaction and sale of data. This has been done as an immediate measure to cover losses due to depilation of revenue share and delay in implementation of significant economic presence (SEP) provisions. However, it pose challenges in the implementation of this levy which are twofold firstly how should e-commerce players apply it; and how should they account for cancellation charges, discounts, sales return and loss in transit. Suggest measures to avoid conflicts and implementation of this scheme.

3. Apnabazar.com is a platform for sale of household items, where it facilitates sale of various items through its portal. the indirect tax authorities raised a demand of Rs. 20 Crore GST on sale turnover of the Apnabazar claiming that the product discount offered and year end sale has been made by the website and hence the company is liable to pay the amount. Apnabazar contended that it was an online marketplace that facilitated transactions of sale and purchase through its online portal. Its role was limited to providing a list and description of goods on its website. When a customer indicated interest in purchasing certain goods, Apnabazar would notify the seller of the goods ("Seller") regarding the choice made by the customer. Thus, Apnabazar was not even a seller for the purpose of the GST Act. The Seller would then in turn raise an invoice on the customer and make arrangements for the delivery of the goods to the customer. Hence, facilitation of work would not amount to sale. ApnaBazar wishes to file the appeal before the Commissioner (Appeal) and engaged you for the advisory services. In light of above facts and circumstance, advice the grounds of appeal and also write reference to the case laws, if any.

4. Write a short note on any five in not more than 250 words (5X5=25)

(i) Liberalized FDI guidelines on e-commerce
(ii) Threats to data protection and privacy
(iii) Role of start-ups in growing e-market
(iv) Supply chain management in e-retail business
(v) Use of bit coin for e-commerce transactions
(vi) Constitution of dedicated authority for e-transaction disputes
(vii) Digital certificate