

Ashit Shah

EPC Contracts wherein goods are imported under High Seas Sale Facts of the matter: Tecnimont Private Limited (TCMPL) entered into a turnkey EPC contract with Indian Oil Corporation (IOCL) for the construction of Acrylic Acid and Butyl Acrylate units at Vadodara. The contract involved [i] EPC works contract; and [ii] Supply of imported goods on High Seas Sale (HSS) basis. TCMPL argued that the supply of imported goods under HSS is separate and distinct from the works contract and should not be included in the valuation for GST purposes. TCMPL seeks ruling - Whether HSS transactions are covered under Entry 8(b) of Schedule III of CGST Act; and excluded from valuation for GST under the works contract. Whether the HSS transaction qualifies as a works contract and if GST is applicable on such goods.