

REGISTERED No. M - 302
L.-7646



EXTRAORDINARY
PUBLISHED BY AUTHORITY

ISLAMABAD, THURSDAY, DECEMBER 8, 2022

PART II

Statutory Notifications (S. R. O.)

GOVERNMENT OF PAKISTAN

NATIONAL ELECTRIC POWER REGULATORY AUTHORITY

NOTIFICATION

Islamabad, the 17th November, 2022

S. R. O. 2164(I)/2022.—In pursuance of Sub-Section 7 of Section 31 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997), NEPRA hereby notifies the Decision of the Authority along with schedule regarding reimbursement of 7.5% withholding tax on dividends for the period September 1, 2022 to August 31, 2023 in respect of Engro Powergen Qadirpur Ltd. in Case No. NEPRA/TRF-72/EPOL-2007.

2. While effecting the Decision, the concerned entities including Central Power Purchasing Agency Guarantee Limited (CPPAGL) shall keep in view and strictly comply with the orders of the courts notwithstanding this Decision.

[No. NEPRA/TRF-72/22162-64.]

SYED SAFEER HUSSAIN,
Registrar.

(5049)

Price: Rs. 6.00

[9894(2022)/Ex. Gaz.]



Withholding Tax on Dividends
Case No. NEPRA/TRF-72/EPQL-2007

DECISION OF THE AUTHORITY IN THE MATTER OF REIMBURSEMENT OF 7.5% WITHHOLDING TAX ON DIVIDENDS FOR ENGRO POWERGEN QADIRPUR LIMITED

1. Pursuant to the Authority's decisions dated November 3, 2010, April 1, 2011, May 14, 2012, and September 13, 2013 in the case of Engro Powergen Qadir Limited (Formerly, Engro Enrgy Limited) (hereinafter "EPQL"), withholding tax on dividend is a pass through item and the power purchaser shall make payment on account of withholding tax at the time of actual payment of dividend as hourly payment spread over a period of 12 months. In accordance with the decision(s) referred above, the Authority approved following component for withholding tax on dividend for immediate application:

Period	Plant Operation	7.5% Withholding tax on dividend Rs.kW/Hour
September 1, 2022 to August 31, 2023	Gas	0.1305
	HSD	0.1322

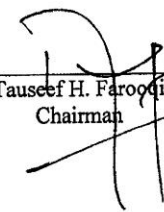
2. The Authority has considered the request of EPQL, for reimbursement of withholding tax on dividends @15% for some of their shareholders being not in the active taxpayer list. In the opinion of the Authority, the higher tax rate could be avoided by becoming part of active tax payer list and the failure is on the part of shareholders of EPQL. Therefore, there is no justification to allow WHT on dividends @ 15% instead of normal rate. Accordingly, the same is being allowed @ 7.5%.
3. The schedule attached as **Annex-I** is to be notified in the official gazette in accordance with the provisions of Section 31(7) of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997.
4. CPPA (G) to ensure that all payments are consistent with tariff determination(s).

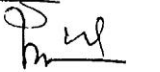
AUTHORITY


Engr. Maqsood Anwar Khan
Member


Engr. Rafique Ahmed Shaikh
Member




Tauseef H. Farooqi
Chairman


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Annex-I

ENGRO POWERGEN QADIRPUR LIMITED
(Formerly Engro Energy Limited)
REIMBURSEMENT OF 7.5% WITHHOLDING TAX ON DIVIDENDS

Tax Challan #	Payment Date	Dividend Amount agst. which Tax is being Withheld	Tax Amount Claimed		Tax Amount Allowed	
			Rs.	Equivalent USD*	Rs.	Equivalent USD*
IT-20200924-0101-1426823	24-Sep-20	394,603,267	30,407,585	182,409	29,595,245	177,536
IT-20210419-0101-1356411	19-Apr-21	552,109,442	42,621,139	277,662	41,408,208	269,760
IT-20211008-0101-1157156	8-Oct-21	473,224,915	36,358,757	212,190	35,491,869	207,131
IT-20220401-0101-1019767	1-Apr-22	1,892,930,404	146,178,537	794,665	141,969,780	771,785
Total		1,892,930,404	255,566,018	1,466,926	248,465,102	1,426,212

Calculation of Hourly Rate:

Withholding tax on dividend

Capacity

Hours in a year

Tariff component of withholding tax on dividend (September 1, 2022 to August 31, 2023)

	GAS	HSD
Rs.	248,465,102	248,465,102
kW	217,298	212,861
No.	8,760	8,760
Rs./kW/Hour	0.1305	0.1332

Carry Forward of Limit:**Balance Brought Forward**

No. NEPRA/R/ADG/TRF/TRF-72/EPQL-2007/3028-3030 dated February 24, 2022

Limit Available for 11th Agreement Year

Limit Available for 12th Agreement Year

Total Limit Available

WHT claimed during 11th Agreement Year

WHT claimed during 11th Agreement Year

WHT claimed during 12th Agreement Year

WHT claimed during 12th Agreement Year

Unclaimable due to exemption of WHT for 11th Agreement year

Unclaimable due to exemption of WHT for 11th Agreement year

Unclaimable due to exemption of WHT for 12th Agreement year

Unclaimable due to exemption of WHT for 12th Agreement year

Balance Carried Forward from 12th Agreement Year

USD

1,021,126

797,467

797,467

2,616,060

(177,536)

(269,760)

(207,131)

(771,785)

(4,565)

(7,105)

(5,461)

(20,333)

1,152,384