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GOVERNMENT OF SINDH
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EXTRAORDINARY

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PART-I

GOVERNMENT OF SINDH
ENERGY DEPARTMENT

NOTIFICATION

NO.SOPP:/19-2/2017/NCPP:- In exercise of the power conferred by section 5 of the Sindh New Captive Power Plants Subsidy Act, 2017, the Government is pleased to make the following rules to carry out the purposes of the said Act.

PRELIMINARY:

1. **Short title and commencement:**

(1) These Rules may be called "Sindh New Captive Power Plants Subsidy Rules, 2017.

(2) These Rules are applicable to whole of the Province of Sindh.

(3) These Rules shall come into force at once.

2. **Definitions.**

(1) In these Rules unless anything repugnant in the subject or context:-

(a) "Act" means the Sindh New Captive Power Plants Subsidy Act 2017.

(b) "Approved Chartered Accountant" means a firm of chartered accountant registered with institution of Chartered Accounts of Pakistan.

(c) "Committee" means a committee formed under Rule;

(d) "Claimant" means the power producer who claims the tariff differential amount under the Act.

(e) "Rules" means these Sindh New Captive Power Plants Subsidy Rules, 2017.

(2) Words and expressions used but not defined in these rules shall unless there is anything repugnant in the subject or context, have the same meaning as assigned to them in the Act and, to the extent relevant, clarified

3. Constitution of Committee:-

(1) There shall be a committee known as the NCPP Subsidy Committee to review and scrutinize applications for tariff differential amount.

(2) The Committee shall consist of –

(i)	Additional Secretary (Power), Energy Department Government of Sindh	Chairman/ Member
(ii)	Director (Reconciliation), Electricity Monitoring & Reconciliation Cell, Energy department Government of Sindh; and	Member
(iii)	Representative nominated by the Finance Department Government of Sindh not below the rank of BPS-18	Member

(3) The Committee shall meet each month, manner as the Chairman deems appropriate or necessary, including not limited to meeting in person, or by telephone or video conference.

(4) The quorum for the meeting of the Committee shall be 2 members and the meetings of the Committee shall be presided over by the Chairman.

(5) The decisions of the Committee shall be taken by the majority of its members present. In case of a tie, the Chairman shall cast the deciding vote.

4. Method of application for applying the tariff differential subsidy.-

(1) All applications for Tariff Differential Amount under section 3 of the Act shall be made by a claimant not later than sixty (60) days of the payment of the relevant invoice (by the Power Purchaser) provided that applications in respect of invoices already paid by the Power Purchaser prior to the promulgation of the Act shall be filed no later than three (3) Months from the date of promulgation of these Rules.

(2) All applications shall be made to the Government through the Committee and shall be in the form prescribed in Schedule 1 and shall be accompanied by:

(a) Copy of the invoice issued by the claimant to the Power Purchaser alongwith proof of payment (including cheque); and

(b) Certificate issued by an Approved Chartered Accountant confirming the Tariff Differential Amount payable in respect of such invoice.

(3) All applications should be addressed and delivered to the office of the Chairman of the Committee, at the Energy Department. Three sets of all documents shall be delivered to the Chairman; one set for each member of the committee.

(4) Within fourteen (14) days of receipt of any application the committee shall consider such applications to ensure that they are in accordance with the requirements of the Act and these rules and shall either approve the application or seek further clarification from the claimant.

(6) In the event the committee seeks clarification from the claimant and the documents or information provided by the claimant in response to such request are not satisfactory, the committee shall within ten (10) days of receipt of clarification determine the Tariff Differential Amount payable to claimant and give reasons in writing for not accepting the calculations of the Approved Chartered Accountant and shall release the amounts to approve within the timeline provided in sub-section (2) of section 3 of the Act.

SECRETARY TO GOVT. OF SINDH
ENERGY DEPARTMENT

Schedule 1
(See rule 4(2)
ON COMPANY'S LETTER HEAD

1	Company Title and NTN, STRN, SSTN.	
2	Location	
3	Net Installed Capacity (MW) and expected annual energy output(MW)	
4	Basic detail about the plant & structures (To be submitted along with first application only)	
5	Registered with Security Exchange Commission of Pakistan(Yes/No)	
6	Valid Generation License issued by NEPRA (copy to be attached)	
7	Audited Financial Statements/ Reports of last three years (To be submitted along with first application only)	
8	Does the project fall under GoP NCPP policy issued by PEPCO Yes/No (If yes enclose supporting documents with first application only)	
9	Power Purchase agreement Signed with HESCO/SEPCO (YES/NO) (if yes copy to be attached with first application only)	
10	Number of Units(Kwh) claimed	
11	Tariff determined under NCPP policy	
12	Tariff determined by NEPRA	
13	Invoice No.& amount paid by HESCO/SEPCO	
14	Tariff differential amount claimed	
15	Chartered Accountant certificate date and No. (Original copy to be attached)	

Note: Please include all supporting documents.