

SSGC/CS/2022-035

25 February 2022

The General Manager,
Pakistan Stock Exchange Ltd.,
Stock Exchange Building,
Stock Exchange Road,
Karachi.

SUBJECT: CLARIFICATION REGARDING NEWS ON MEDIA
AS PER RULE NO. 5.6.2 OF PSX RULES

Dear Sir,

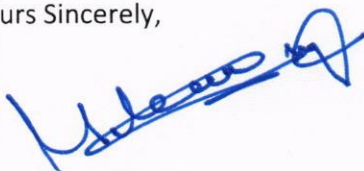
This information is drafted for dissemination for the Pakistan Stock Exchange amongst the investors and public in accordance with Rule 5.6.2 of PSX Rules for clarifying news circulated on media regarding recovery of Sales Tax.

Large Taxpayer Office (LTO) issued Notice of recovery of Sales Tax to banks regarding SSGC without following the legal process and waiting for decision of an independent Forum i.e., Appellate Tribunal. Demand was raised on irrational and unreasonable grounds of treating swapping of indigenous gas against RLNG to SNGPL as Sales Income.

Against the said recovery Notice, SSGC filed Constitutional Petition before Sindh High Court (SHC) and the SHC suspended the recovery notice of LTO through an Order dated 23-02-2022 (Annex-A) being devoid of legal merits and directed SSGC to pursue matter before the Appellate Tribunal.

Consequently, LTO withdrawn the said Notice with immediate effect (Refer Annex-B).

Yours Sincerely,



Mateen Sadiq
Company Secretary

CC: Executive Director/HOD,
Offsite-II Department,
Supervision Division,
Securities & Exchange Commission of Pakistan,
63, NIC Building, Jinnah Avenue, Blue Area,
Islamabad

IN THE HIGH COURT OF SINDH AT KARACHI
(Constitutional Jurisdiction)

Constitutional Petition No. D- 1127 of 2022

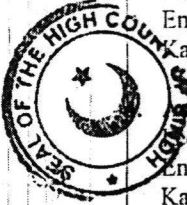
23/2/2022

[Handwritten signature and initials]

Sui Southern Gas Company Limited
a public listed company duly incorporated
under the laws of Pakistan
having it's registered office at
ST.4/B. Block-14, Sir Shah Muhammad Suleman Road
Gulshan-e-Iqbal Karachi
through it's Legal Counsel
Syed Asad Abbas Naqvi
Son of Syed Asif Hussain Naqvi
muslim, adult, CNIC No.61101-6491436-1
having office at ST.4/B, Block-14, Sir Shah Muhammad Suleman Road
Gulshan-e-Iqbal Karachi.....Petitioner

Versus

1. **Federation of Pakistan**
through the Secretary Revenue Division/
Chairman Federal Board of Revenue
Having office of FBR House,
Constitutional Avenue, Islamabad.
2. **Federal Board of Revenue (FBR)**
through its Chairman
FBR House, Constitution Avenue
G-5, Islamabad
3. **Commissioner Inland Revenue**
Federal Board of Revenue
Enforcement -II, Large Taxpayers Office
Karachi
Assistant/Deputy Commissioner Inland Revenue
Federal Board of Revenue
Enforcement-II, Large Taxpayers Office
Karachi.....Respondents



CONSTITUTIONAL PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN, 1973

ORDER SHEET
THE HIGH COURT OF SINDH KARACHI

C.P. No. D - 1127 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE
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Fresh Case

1. For order on Misc. No.5061 of 2022.
2. For order on Misc. No.5062 of 2022.
3. For order on Misc. No.5063 of 2022.
4. For hearing of Main Case.

23-02-2022

Ms. Fazila Amber Chachar, Advocate for the Petitioner
alongwith Mr. Bilal Farooq Alvi, Senior Legal Counsel SSGC.
Mr. Kafeel Ahmed Abbasi, Deputy Attorney for Pakistan.

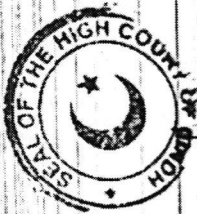
- 1] Urgency granted.
- 2] Exemption granted subject to all just exceptions.
- 3-4] After arguing the matter at some length, learned counsel for the Petitioner submits that the Petitioner would be satisfied and not press this petition if the Impugned Demand Notice sent to all the Banks dated 22-02-2022 bearing No.DCIR/U-4/Enforcement-II/LTO/2021-22/897, available at Page No.27, Annexure 'B', be suspended by permitting the Petitioner to file an urgent appeal in accordance with law before the competent forum, for which a total period of 60 days is available. Learned counsel for the Petitioner as well as legal representative of SSGC nonetheless unreservedly undertake that the latter would proceed with filing of the said appeal within next seven [7] days at most, however, requests that whilst substantial time to file the appeal is still available as per law and whereas the requirement of Rule 71(1) seemingly has not been complied with, operation of the Impugned Demand Notice be suspended till such period of seven days least to say. Counsel has heavily placed reliance on the paragraphs 6 and 7 of the case reported as 2020 PTD 165 (*Quaid-e-Azam Thermal Private Limited versus Federal Board of Revenue and others*).



In the given circumstances, the request made by the Petitioner is granted and the petition in hand is accordingly disposed of alongwith the stay application with the direction to the Petitioner to file appropriate appeal in accordance with law before the competent forum within Seven [07] days and press his grievance before them, however, in the meanwhile, operation of the Impugned Demand Notice shall remain suspended for this period. The funds attached in consequence of the afore-noted Impugned Demand Notice shall not to be withdrawn or transferred by the respondent within this seven [07] days period too.

This order shall seize to hold its effect after expiry of seven [07] days from today i.e. on 03-03-2022.

Sgt. Zulfiqar Ahmad Iqbal
Judge



THE HIGH COURT OF SINDH, KARACHI
CERTIFIED TO BE TRUE COPY

(MUHAMMAD SARFARAZ)
I/C: ASSISTANT REGISTRAR (COPYING)

COPY APPLIED FOR ON 23-02-2022
FEES ESTIMATED ON 24-02-2022
ESTIMATED FEES DEPOSITED ON dtd
COPY MADE READY/CERTIFIED ON dtd
STAMP SUPPLIED ON dtd
COPY DELIVERED ON dtd

URGENT/NORMAL FEES: PAGE: 03 RS: 30
COPYING FEES: PAGE: 1 RS: 1
COMPARING FEES: PAGE: 1 RS: 1
TOTAL: RS: 32

COMPARING BY
OFFICE ASSOCIATE

(MUHAMMAD SARFARAZ)
I/C: ASSISTANT REGISTRAR (COPYING)



GOVERNMENT OF PAKISTAN
Deputy Commissioner Inland Revenue
Unit-04, Enforcement-II, Large Taxpayers Office
PRC Towers, 32-A Lalazar, M.T. Khan Road, Karachi



Annexure - B

No. DCIR/U-04/ENF-II/LTO/2021-22/909

Dated: 24-02-2022

To,

THE OPERATIONAL HEAD,

S.NO	BANK NAME AND ITS ATTACHED BRANCHES
1	Allied Bank of Pakistan Limited (ABL) Gulshan E Iqbal Civic Centre Branch Civic Centre KDA Building Gulshan E Iqbal Karachi
2	Askari Commercial Bank Limited Clifton Branch Plot BC-1 Marine Trade Center Block-9 Clifton Karachi
3	Bank Alfalah Limited (BAFL) Main Branch B.A. Building I.I.Chundrigar Road Karachi
4	BankIslami Pakistan Limited Main Branch 11th Floor Executive Tower Dolmen City Marine Drive Block-4 Clifton Karachi
5	Burj Bank Limited II Chundrigar Road Trade Centre Branch Trade Centre II Chundrigar Road Karachi
6	Deutsche Bank AG, Pakistan Karachi I Branch Avari Plaza 242-243 Fatima Jinnah Road Karachi
7	Dubai Islamic Bank Pakistan Limited Avari Tower Branch 242 / 243 Avari Tower Fatima Jinnah Road Crossing Shara E Faisal Karachi
8	Faysal Bank Limited Main Branch Street 02 Main Shara e Faisal Faysal House Karachi
9	First Women Bank Limited (FWBL) Imperial Court Branch Dr Ziauddin Ahmad Road Karachi
10	Habib Bank Limited (HBL) Hassan Square Branch Shop 16 17 / 18 Fl No.3/4 Blk 13/A Hassan Square Gulshan E Iqbal Karachi
11	Habib Bank Limited (HBL) II Chundrigar Road HBL Plaza Branch Habib Bank Plaza II Chundrigar Road Karachi
12	MCB Bank Limited Shaheen Complex Branch Shaheen Complex MR Kayani Road Karachi
13	MCB Bank Limited Sheikh Sultan Trust Branch Sheikh Sultan Trust Building Beamount Road Civil Lines Karachi
14	Meezan Bank Limited PNSC Building Branch 37-A Lalazar Area Off M.T. Khan Road Karachi
15	National Bank of Pakistan (NBP) Gulshan E Iqbal Civic Centre Branch Civic Centre KDA Building Gulshan E Iqbal Karachi
16	Samba Bank Limited MT Khan Road Bahria Complex Branch Bahria Complex I 24-MT Khan Road Karachi
17	Sindh Bank Limited II Chundrigar Road Branch P / O Plaza Opp. Muhammadi House II Chundrigar Road Karachi
18	Soneri Bank Limited Main Branch Adamjee Insurance Building II Chundrigar Road Karachi
19	Standard Chartered Bank (Pakistan) Limited (SCB) Main Branch Opp. Habib Bank Plaza II Chundrigar Road Karachi
20	The Bank of Punjab (BOP) Shara E Faisal Marine Faisal Building Branch Marine Faysal Building Shara E Faisal Karachi
21	United Bank Limited (UBL) Gulshan E Iqbal Civic Centre Branch Civic Centre KDA Building Gulshan E Iqbal Karachi
22	United Bank Limited (UBL) II Chundrigar Road Al Rehman Building Branch Al Rehman Building II Chundrigar Road Karachi

Subject: NOTICE UNDER SECTION 48(1)(ca) OF THE SALES TAX ACT, 1990 READ WITH RULE 71(2)(b)(d) OF THE SALES TAX RULES 2006 FOR RECOVERY OF OUTSTANDING DUES AND ATTACHMENT OF BANK ACCOUNTS IN RESPECT OF M/S SUI SOUTHERN GAS COMPANY BEARING NTN: 0712242.

Dear Sir,

Please refer to letter No. 897 dated: 22-02-2022 under section 48(1)(ca) of the Sales Tax Act, 1990 read with rule 71(2)(b)(d) of the Sales Tax Rules 2006 for the recovery of Sales Tax outstanding demand of Rs. 23,648,879,447/- through bank attachment issued/ served in Respect Of M/S Sui Southern Gas Company Limited Bearing NTN: 0712242 is hereby withdrawn with immediate effect.

(SULTAN ALI)
DEPUTY COMMISSIONER-IR

Copy for information:

1. Chief Commissioner Inland Revenue, LTO, Karachi.
2. Commissioner Inland Revenue, Enforcement-II, LTO, Karachi.
3. M/s. Sui Southern Gas Company Limited, Limited.

