



THE PAKISTAN ENVIRONMENTAL PROTECTION ACT, 1997



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PAKISTAN ENVIRONMENTAL PROTECTION ACT, 1997

ACT NO. XXXIV OF 1997

An Act to provide for the protection, conservation, rehabilitation and improvement of the environment, for the prevention and control of pollution, and promotion of sustainable development

WHEREAS, it is expedient to provide for the protection, conservation, rehabilitation and improvement of the environment, prevention and control of pollution, promotion of sustainable development, and for matters connected therewith and incidental thereto;

It is hereby enacted as follows:

1. Short title, extent and commencement.—(1) This Act may be called the Pakistan Environmental Protection Act, 1997.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions.In this Act, unless there is anything repugnant in the subject or context,—

(i) "adverse environmental effect" means impairment of, or damage to, the environment and includes—

(a) impairment of, or damage to, human health and safety or to biodiversity or property;

(b) pollution; and

(c) any adverse environmental effect as may be specified in the regulations;

(ii) "agricultural waste" means waste from farm and agricultural activities including poultry, cattle farming, animal husbandry, residues from the use of fertilizers, pesticides and other farm chemicals;

(iii) "air pollutant" means any substance that causes pollution of air and includes soot, smoke, dust particles, odor, light, electro-magnetic, radiation, heat, fumes, combustion exhaust, exhaust gases, noxious gases, hazardous substances and radioactive substances;

(iv) "biodiversity" or "biological diversity" means the variability among living organisms from all sources, including *inter alia* terrestrial, marine and

other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems;

- (v)** "Council" means the Pakistan Environmental Protection Council established under section 3;
 - (vi)** "discharge" means spilling, leaking, pumping, depositing, seeping, releasing, flowing out, pouring, emitting, emptying or dumping;
 - (vii)** "ecosystem" means a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit;
 - (viii)** "effluent" means any material in solid, liquid or gaseous form or combination thereof being discharged from industrial activity or any other source and includes a slurry, suspension or vapour;
 - (ix)** "emission standards" means the permissible standards established by the Federal Agency or a Provincial Agency for emission of air pollutants and noise and for discharge of effluents and waste;
 - (x)** "environment" means—
 - (a)** air, water and land;
 - (b)** all layers of the atmosphere;
 - (c)** all organic and inorganic matter and living organisms;
 - (d)** the ecosystem and ecological relationships;
 - (e)** buildings, structures, roads, facilities and works;
 - (f)** all social and economic conditions affecting community life; and
 - (g)** the inter-relationships between any of the factors in sub-clauses (a) to (f) ;
 - (xi)** "environmental impact assessment" means an environmental study comprising collection of data, prediction of qualitative and quantitative impacts, comparison of alternatives, evaluation of preventive, mitigatory and compensatory measures, formulation of environmental management and training plans and monitoring arrangements, and framing of recommendations and such other components as may be prescribed;
 - (xii)** "Environmental Magistrate" means the Magistrate of the First Class appointed under section 24;
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- (xiii)** "Environmental Tribunal" means the Environmental Tribunal constituted under section 20;
- (xiv)** "Exclusive Economic Zone" shall have the same meaning as defined in the Territorial Waters and Maritime Zones Act, 1976 ([LXXXII of 1976](#));
- (xv)** "factory" means any premises in which industrial activity is being undertaken;
- (xvi)** "Federal Agency" means the Pakistan Environmental Protection Agency established under section 5, or any Government Agency, local council or local authority exercising the powers and functions of the Federal Agency;
- (xvii)** "Government Agency" includes —
- (a)** a division, department, attached department, bureau, section, commission, board, office or unit of the Federal Government or a Provincial Government;
 - (b)** a developmental or a local authority, company or corporation established or controlled by the Federal Government or Provincial Government;
 - (c)** a Provincial Environmental Protection Agency; and
 - (d)** any other body defined and listed in the Rules of Business of the Federal Government or a Provincial Government;
- (xviii)** "hazardous substance" means
- (a)** a substance or mixture of substances, other than a pesticide as defined in the Agricultural Pesticides Ordinance, 1971 ([II of 1971](#)), which, by reason of its chemical activity or toxic, explosive, flammable, corrosive, radioactive or other characteristics causes, or is likely to cause, directly or in combination with other matters, an adverse environmental effect; and
 - (b)** any substance which may be prescribed as a hazardous substance;
- (xix)** "hazardous waste" means waste which is or which contains a hazardous substance or which may be prescribed as hazardous waste, and includes hospital waste and nuclear waste;
- (xx)** "historic waters" means such limits of the waters adjacent to the land territory of Pakistan as may be specified by notification under section 7 of the Territorial Waters and Maritime Zones Act, 1976 ([LXXXII of 1976](#));
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