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**GOVERNMENT OF THE PUNJAB
LAW AND PARLIAMENTARY AFFAIRS DEPARTMENT**

**NOTIFICATION
(94 of 2017)**

4 July 2017

The following Notification No. SO(Tech)/EPD/1-26/2004:, dated 15.06.2017 issued under section 31 read with section 26 of the Punjab Environmental Protection Act, 1997 (XXXIV of 1997) for the Punjab Environmental Protection (Delegation of Powers for Environmental Approvals) Rules 2017 is published for general information:

DR SYED ABUL HASSAN NAJMEE

Secretary

Government of the Punjab
Law and Parliamentary Affairs
Department

**GOVERNMENT OF THE PUNJAB
ENVIRONMENT PROTECTION DEPARTMENT**

15th June, 2017

NOTIFICATION

No. SO(Tech)/EPD/1-26/2004: In exercise of the powers conferred under section 31 read with section 26 of the Punjab Environmental Protection Act, 1997 (XXXIV of 1997), Governor of the Punjab is pleased to make the following rules.

1. **Short title and commencement:** - (1) These rules may be cited as the Punjab Environmental Protection (Delegation of Powers for Environmental Approvals) Rules 2017.
(2) They shall come into force at once.
2. **Definitions:** - (1) In these rules;
 - (a) "Act" means the Punjab Environmental Protection Act, 1997 (XXXIV of 1997);
 - (b) "Agency" means the Provincial Environmental Protection Agency established under section 5 of the Act;
 - (c) "Commissioner" means the Commissioner appointed under the Punjab Civil Administration Act 2017 (III of 2017);
 - (d) "Committee" means the Committee established under the rules;
 - (e) "Division" means a Division constituted under the Punjab Land Revenue Act, 1967 (XVII of 1967);
 - (f) "notified officer" means an officer of the Agency notified for a district under the rules;
 - (g) "Government" means Government of the Punjab;
 - (h) "rules" means the Punjab Environmental Protection (Delegation of Powers for Environmental Approvals) Rules 2017; and
 - (i) "Secretary" means Secretary to the Government, Environment Protection Department.

(2) An expression used but not defined in the rules shall have the same meanings as is assigned to it in the Act
3. **Application for environmental approval:** - A proponent may submit the environmental assessment of a project, mentioned in Schedule-I to the notified officer of the district along with the receipt of payment of the prescribed fee.

4. Preliminary scrutiny:- The notified officer shall, within ten working days of the receipt of the environmental assessment and with the approval of the Commissioner:

- (a) confirm that the environmental assessment is complete for review; or
- (b) require such additional information as may be specified; or
- (c) return with reasons the environmental assessment to the proponent for revision.

5. Review:- (1) The notified officer shall, within fifteen days of the confirmation under rule 4, review the environmental assessment.

(2) The notified officer may consult an expert or a committee of experts as may be specified or constituted for the purpose by the Agency.

(3) The notified officer, if necessary, may inspect the site of the proposed project.

6. Environmental approval committee:- (1) For each Division, there shall be a committee consisting of:

- (a) the Commissioner who shall be the chairperson of the committee;
- (b) the notified officer who shall be the convener of the committee; and
- (c) an expert relevant to the environment protection appointed by the Secretary from a panel recommended by the concerned Commissioner.

(2) The committee shall consider the environmental assessment in the light of the findings of the review carried out under rule 5 and, in appropriate cases, the committee may grant environmental approval.

(3) The chairperson may invite any person to attend a meeting, if necessary, for purposes of any information or advice but such person shall not have a right to vote.

(4) The committee shall ordinarily meet once in a month but the Secretary or the Chairperson may, at any time, convene a meeting.

(5) All decisions of the Committee shall be expressed in terms of the majority opinion.

7. Conditions of approval:- (1) Every approval shall, in addition to the conditions specified by the committee, be subject to the condition that the project shall be designed and constructed and mitigating and other measures shall be adopted in accordance with law.

(2) The proponent shall, before commencing the construction of the project, acknowledge acceptance of the stipulated conditions by executing an undertaking in the Form set out in Schedule-II.

(3) The proponent shall, before operation of the project, obtain approval for the operational phase and, for the purpose, certify that all the conditions of approval and requirements relating to design and construction have been met and all the mitigating and other measures have been taken.

8. Monitoring:- (1) The Commissioner himself or through the notified officer shall regularly monitor the compliance of the conditions of approval and operation of the projects and compliance of the Act.

(2) For purposes of sub-rule (1), the Commissioner, or with the permission of the Commissioner, the notified officer may require the proponent, if necessary, to submit any relevant information at such intervals as he may consider appropriate.

9. Cancellation of approval:- (1) If, at any time, the Committee is of the opinion that the conditions of an approval have not been complied with, or that the information supplied by a proponent in the approved environment assessment was incorrect, the Committee shall issue a show cause notice to the proponent requiring him to explain as to why the approval may not be annulled.

(2) The proponent shall, within Fifteen days of the receipt of the show cause notice, submit the reply but if no reply is received within the stipulated time or if the reply received is found unsatisfactory, the committee, after giving the proponent an opportunity hearing, may:

- a) require the proponent to take such measures and to comply with such conditions within such period as it may be specified; or
- b) annul the approval.

(3) On annulment of the approval, the proponent shall forthwith stop the construction or operation of the project.

(4) Any action taken under this rule shall be without prejudice to any other action that may be taken against the proponent in accordance with law.

10. Register of projects:- (1) The notified officer shall, in the Form given in Schedule-III, maintain a register of projects in respect of which environment assessments are received.

(2) The notified officer shall submit monthly updates of the register to the Agency.

11. Other approvals:- In addition to the approval under the rules, the proponent shall also obtain any other approval or consent if required under any law.

12. Powers of the Agency to grant environmental approvals:-

(1) Notwithstanding anything contained in the rules, the Agency may grant environmental approval in respect of a project listed at Schedule-I and, after recording reasons and affording an opportunity of hearing to the proponent:

- (a) impose conditions in addition to the conditions of approval;
- (b) annul the approval granted under the rules.

(2) The Agency may monitor the projects approved by it.

(3) The Secretary and the Agency may, from time to time, call for and inspect the record pertaining to the grant of approvals.

13. Decisions: All decisions made under the rules shall forthwith be communicated in writing to the proponent, the Secretary and the Agency.

14. Appeal:- Any person aggrieved by an order or direction of the committee under rules 6, 7 or 9 or of the Agency under rule 12 may prefer an appeal before the Environmental Tribunal within thirty days of the date of the receipt of the impugned order or direction.

SAIF ANJUM
(SAIF ANJUM) 15/6
SECRETARY

GOVERNMENT OF THE PUNJAB
ENVIRONMENT PROTECTION DEPARTMENT

SCHEDULE I
[See Rule 3 and 13]

List of projects for which environmental assessment may be submitted to notified officer under these rules:

- a. Auto-repair Workshops
- b. Basic Health Units, Rural Health Centers, Hospitals up to 50 beds
- c. Base Transceiver Station (BTS) Towers
- d. Canal cleaning and de-siltation
- e. Cold Storage and Warehouses
- f. Commercial buildings including Apartments, Shopping Malis, Office Complexes, etc. costing more than Rs.50.000 million but up to Rs.1,000.000 million (including cost of land)
- ~~g. Construction and lining of water courses~~
- ~~h. Construction of roads falling within the jurisdiction of a district, excepting highways, expressways, and motorways.~~
- ~~i. Controlled Environment Poultry and Layer Farms~~
- ~~j. Educational institutions~~
- ~~k. Establishment and operation of Brick Kiln Units~~
- ~~l. Establishment and operation of Petrol and CNG Stations~~
- ~~m. Fish Farms~~
- n. Petrol and CNG Stations
- o. SOLID Waste Management, excepting landfills
- p. Water supply schemes/ Water Purification Plants costing up to Rs.20.000 million.
- q. Wood product manufacturing costing up to Rs.50.000 million (including cost of land)
- r. Any other project with no major adverse environmental impact as notified by Secretary.

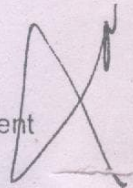
SCHEDULE II
[See Rule 7(2)]

Undertaking

I, (full name and address) as proponent for (name, description and location of project) do hereby solemnly affirm and declare that I fully understand and accept the conditions contained in the approval accorded by the Local Environmental Approval Committee bearing tracking No. _____ dated _____ and undertake to design, construct and operate the project strictly in accordance with the said conditions and the environmental assessment.

Date _____

Signature, _____
Name and designation of proponent
(with official stamp/ seal)



Witnesses
(full name and addresses)



(1) _____

(2) _____

(3) _____

SCHEDULE III
[See Rule 11]

Register

1. Tracking number
2. Category type (as per Schedule I and II)
3. Name of proponent
4. Name and designation of contact person
5. Name of consultant
6. Description of project
7. Location of project
8. Project capital cost
9. Date of receipt of environmental assessment
10. Date of confirmation of completeness
11. Approval granted (Yes/ No)
12. Date of approval granted or refused
13. Conditions of approval/ reasons for refusal
14. Date of undertaking
15. Date of extension of approval validity
16. Period of extension
17. Date of commencement of construction
18. Date of issue of confirmation of compliance
19. Date of commencement of operation
20. Dates of filling of monitoring reports
21. Date of cancellation, if applicable