

AMENDED UPTO ACT 35 OF 2012, DATED 18.4.2012

**THE PUNJAB ENVIRONMENTAL PROTECTION ACT, 1997
(XXXIV OF 1997)**

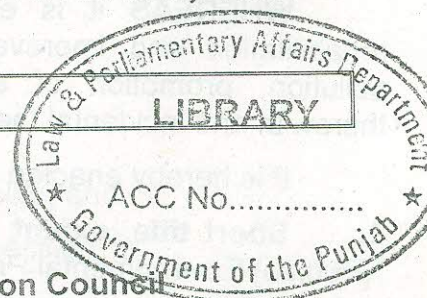
CONTENTS

1. Short title, extent and commencement
2. Definitions
3. Establishment of the Punjab Environmental Protection Council
4. Functions and powers of the Council
5. Establishment of the Punjab Environmental Protection Agency
6. Functions of the Provincial Agency
7. Powers of the Provincial Agency
8. Establishment, powers and functions of the Provincial Environmental Protection Agencies
9. Establishment of the Provincial Sustainable Development Funds
10. Management of the Provincial Sustainable Development Fund
11. Prohibition of certain discharges or emissions
12. Initial environmental examination and environmental impact assessment
13. Prohibition of import of hazardous waste
14. Handling of hazardous substances
15. Regulation of motor vehicles
16. Environmental protection order
17. Penalties
18. Offences by bodies corporate
19. Offences by Government Agencies, local authorities or local councils
20. Environmental Tribunals
21. Jurisdiction and powers of Environmental Tribunals
22. Appeals to the Environmental Tribunal
23. Appeals from orders of the Environmental Tribunal
24. Jurisdiction of Environmental Magistrates
25. Appeals from orders of Environmental Magistrates
26. Power to delegate
27. Power to give directions
28. Indemnity
29. Dues recoverable as arrears of land revenue
30. Ordinance to override other laws
31. Power to make rules
32. Power to amend the Schedule
33. Power to make regulations
34. Repeal, savings and succession

SCHEDULE

TEXT

**PUNJAB ENVIRONMENTAL PROTECTION ACT, 1997
(XXXIV OF 1997)**



attested
Ruqiyah
RUQIYA UMBREEN
Law Officer/Prosecutor
Environmental Protection Agency
Punjab, Lahore.

attested
RUQIYA

RUQIYA UMBREEN
Law Officer/Prosecutor
Environmental Protection Agency
Punjab, Lahore.

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 shall be called the ¹[Punjab] Environmental Protection Act, 1997.

(2) It extends to the whole of ²[the Punjab].

(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) "agriculture 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 substance 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; including diversity within species, between species and of eco-systems;

(v) "Council" means the ³[Punjab] Environmental Protection Council established under section 3;

(vi) "discharge" includes 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 ⁴[Provincial Agency] for emission of air pollutants and noise and for discharge of effluent and waste;

RUQIYA UMBREEN
Law Officer/Prosecutor
Environmental Protection Agency
Punjab, Lahore.

attested

Quini attested

RUQIYA UMBREEN
 Law Officer/Prosecutor
 Environmental Protection Agency
 Punjab, Lahore.

- (x) **"environment"** means:-
- air, water and land;
 - all layers of the atmosphere;
 - all organic and inorganic matter and living organisms;
 - the ecosystem and ecological relationships;
 - buildings, structures, roads, facilities and works;
 - all social and economic conditions affecting community life; and
 - the inter-relationships between any of the factors specified 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;
- (xiii) **"Environmental Tribunal"** means the Environmental Tribunal constituted under section 20;
- (xiv) ⁵[*****];
- (xv) **"Factory"** means any premises in which industrial activity is being under taken.
- ⁶[(xvi) **"Government"** means Government of the Punjab.]
- ⁷[(xvii) **"Government Agency"** includes—
- a department, an attached department or any other office of the Government; and
 - a development authority, local authority, company or a body corporate established or controlled by the Government;]
- (xviii) **"hazardous substance"** means:-
- 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
 - 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 substance or which may be prescribed as hazardous waste, and includes hospital waste and nuclear waste;
- (xx) ⁸[*****];

attested

RUQIYA
RUQIYA UMBREEN
Law Officer/Prosecutor
Environmental Protection Agency
Punjab, Lahore.

Page 4 of 20

- (xxi) "**hospital waste**" includes waste medical supplies and materials of all kinds, and waste blood, tissue, organs and other parts of the human and animal bodies, from hospitals, clinics and laboratories;
- (xxii) "**industrial activity**" means any operation or process for manufacturing, making, formulating, synthesising, altering, repairing, ornamenting, finishing, packing or otherwise treating any article or substance with a view to its use, sale, transport, delivery or disposal, or for mining, for oil and gas exploration and development, or for pumping water or sewage, or for generating, transforming or transmitting power or for any other industrial or commercial purpose;
- (xxiii) "**industrial waste**" means waste resulting from an industrial activity;
- (xxiv) "**initial environmental examination**" means a preliminary environmental review of the reasonably foreseeable qualitative and quantitative impacts on the environment of a proposed project to determine whether it is likely to cause an adverse environmental effect for requiring preparation of an environmental impact assessment;
- (xxv) "**local authority**" means any agency set up or designated by the ⁹[Government] by notification in the official Gazette to be a local authority for the purposes of this Act;
- (xxvi) "**local council**" means a local council constituted or established under a law relating to local government;
- (xxvii) "**motor vehicle**" means any mechanically propelled vehicle adapted for use upon land whether its power of propulsion is transmitted thereto from an external or internal source, and includes a chassis to which a body has not been attached, and a trailer, but does not include a vehicle running upon fixed rails;
- (xxviii) "**municipal waste**" includes sewage, refuse, garbage, waste from abattoirs, sludge and human excreta and the like;
- (xxix) ¹⁰[*****];
- (xxx) "**noise**" means the intensity, duration and character of sounds from all sources, and includes vibration;
- (xxxi) "**nuclear waste**" means waste from any nuclear reactor or nuclear plant or other nuclear energy system, whether or not such waste is radioactive;
- (xxxii) "**person**" means any natural person or legal entity and includes an individual, firm, association, partnership, society, group, company, corporation, co-operative society, Government Agency, non-governmental organization, community-based organization, village organization, local council or local authority and, in the case of a vessel, the master or other person having for the time being the charge or control of the vessel;
- (xxxiii) "**pollution**" means the contamination of air, land or water by the discharge or emission of effluents or wastes or air pollutants or noise or other matter which either directly or indirectly or in combination with other discharges or substances alters unfavourably the chemical, physical, biological, radiational, thermal or radiological or aesthetic properties of the air, land or water or which may, or is likely to make the air, land or water unclean, noxious or impure or injurious, disagreeable or detrimental to the health, safety, welfare or property of persons or

attested
RUQIYA
RUQIYA UMBREEN
Law Officer/Prosecutor
Environmental Protection Agency
Punjab, Lahore.

(xxxv) "**project**" means any activity, plan, scheme, proposal or undertaking involving any change in the environment and includes:-

- (a) construction by use of buildings or other works;
- (b) construction or use of roads or other transport systems;
- (c) construction or operation of factories or other installations;
- (d) mineral prospecting, mining, quarrying, stone-crushing, drilling and the like;
- (e) any change of land use or water use; and
- (f) alteration, expansion, repair, decommissioning or abandonment of existing buildings or other works, roads or other transport systems, factories or other installations;

(xxxvi) "**proponent**" means the person who proposes or intends to undertake a project;

¹²[(xxxvii) "**Provincial Agency**" means the Provincial Environmental Protection Agency established under the Act, or any Government Agency, local council or local authority exercising the powers and functions of the Provincial Agency];

¹³[(xxxvii-a) "**Punjab Environmental Quality Standards**" mean the standards prepared by the Provincial Agency and approved by the Council];

(xxxviii) "**regulations**" means regulations made under the Act;

(xxxix) "**rules**" means rules made under this Act;

(xi) "**sewage**" means liquid or semi-solid wastes and sludge from sanitary conveniences, kitchens, laundries, washing and similar activities and from any sewerage system or sewage disposal works;

(xii) "**standards**" means qualitative and quantitative standards for discharge of effluents and wastes and for emission of air pollutants and noise either for general applicability or for a particular area, or from a particular production process, or for a particular product, and includes the ¹⁴[Punjab] Environmental Quality Standards, emission standards and other standards established under this Act and the rules and regulations made there under;

(xlii) "**sustainable development**" means development that meets the needs of the present generation without compromising the ability of future generations to meet their needs;

(xliii) ¹⁵[*****];

(xliv) "**vessel**" includes anything made for the conveyance by water of human beings or of goods; and

(xix) "**waste**" means any substance or object which has been, is being or is intended to be, discarded or disposed of, and includes liquid waste, solid waste, waste gases, suspended waste, industrial waste, agricultural waste, nuclear waste, municipal waste, hospital waste, used polyethylene bags and residues from the incineration of all types of waste.

¹¹ Clause (xxxiv) substituted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV of 2012)

¹² Clause (xxxvii) substituted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV

3. **Establishment of the ¹⁶[Punjab] Environmental Protection Council.—**¹⁷[(1) The Government shall, by notification in the official Gazette, establish a Council to be known as the Punjab Environmental Protection Council consisting of—

- | | | |
|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| i) | Chief Minister of the Punjab; or such other person as nominated by the Chief Minister; | Chairperson |
| ii) | Minister Incharge of the Environment Protection Department; | Vice Chairperson |
| iii) | such other persons not exceeding thirty five as the Government may appoint, of which at least twenty five shall be non-official including at least three Members of the Provincial Assembly of the Punjab, five representatives of the Chambers of Commerce and Industry and one or more representatives of the Chambers of Agriculture, Medical and legal profession, trade unions and non-governmental organizations concerned with the environment and sustainable development, and scientists, technical experts and educationalists; and | Members |
| iv) | Secretary to the Government, Environment Protection Department. | Member/Secretary] |

attested
Ruqiyah
RUQIYA UMBREEN
Law Officer/Prosecutor
Environmental Protection Agency
Punjab, Lahore.

(2) The Members of the Council, other than ex officio members, shall be appointed in accordance with the prescribed procedure and shall hold office for a term of three years.

(3) The Council shall frame its own rules of procedure.

(4) The Council shall hold meetings as and when necessary, but not less than two meetings shall be held in a year.

(5) The Council may constitute committees of its members and entrust them with such functions as it may deem fit, and the recommendations of the committees shall be submitted to the Council for approval.

(6) The Council or any of its committees may invite any technical expert or representative of any Government Agency or non-governmental organization or other person possessing specialized knowledge of any subject for assistance in performance of its functions.

4. **Functions and powers of the Council.—**(1) The Council shall---

- (a) co-ordinate and supervise enforcement of the provisions of this Act;
- (b) approve comprehensive ¹⁸[Punjab] environmental policies and ensure their implementation within the framework of a ¹⁹[Punjab] conservation strategy as may be approved by the ²⁰[Government] from time to time;
- (c) approve the ²¹[Punjab] Environmental Quality Standards;

¹⁶ Word "Pakistan" substituted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV of 2012)

¹⁷ Sub-section (1) substituted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV of 2012)

attested

- (d) provide guidelines for the protection and conservation of species, habitats, and biodiversity in general, and for the conservation of renewable and non-renewable resources;
- (e) coordinate integration of the principles and concerns of sustainable development into ²²[Punjab] development plans and policies; and
- (f) consider the ²³[Punjab] Environment Report and give appropriate directions thereon.

(2) The Council may, either itself or on the request of any person or organisation, direct the ²⁴[Provincial Agency] or any Government Agency to prepare, submit, promote or implement projects for the protection, conservation, rehabilitation and improvement of the environment, the prevention and control of pollution, and the sustainable development of resources, or to undertake research in any aspect of environment.

5. Establishment of the ²⁵[Provincial] Environmental Protection Agency.—

²⁶[(1) The Government shall, by notification in the official Gazette, establish the Provincial Environmental Protection Agency to exercise the powers and perform the functions assigned to it under this Act, the rules and the regulations].

(2) The ²⁷[Provincial Agency] shall be headed by a Director General, who shall be appointed by the ²⁸[Government] on such terms and conditions as it may determine.

(3) The ²⁹[Provincial Agency] shall have such administrative, technical and legal staff as the ³⁰[Government] may specify, to be appointed in accordance with such procedure as may be prescribed.

(4) The powers and functions of the ³¹[Provincial Agency] shall be exercised and performed by the Director-General.

(5) The Director-General may, by general or special order, delegate any of these powers and functions to staff appointed under sub-section (3).

(6) For assisting the ³²[Provincial Agency] in the discharge of its functions, the ³³[Government] shall establish Advisory Committees for various sectors, and appoint as members thereof eminent representatives of the relevant sector, educational institutions, research institutes and non-governmental organizations.

6. Functions of the ³⁴[Provincial Agency].— (1) The ³⁵[Provincial Agency] shall—

²² Word "National" substituted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV of 2012)

²³ Word "National" substituted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV of 2012)

²⁴ Words "Federal Agency" substituted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV of 2012)

²⁵ Words "Pakistan" substituted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV of 2012)

²⁶ Sub-section (1) substituted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV of 2012)

²⁷ Words "Federal Agency" substituted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV of 2012)

²⁸ Words "Federal Government" substituted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV of 2012)

²⁹ Words "Federal Agency" substituted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV of 2012)

³⁰ Words "Federal Government" substituted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV of 2012)

³¹ Words "Federal Agency" substituted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV of 2012)

attested
Dum.

- (a) administer and implement the provisions of this Act and the rules and regulations made thereunder;
- (b) prepare, in coordination with the appropriate Government Agency and in consultation with the concerned sectoral Advisory Committees, ³⁶[****] environmental policies for approval by the Council;
- (c) take all necessary measures for the implementation of the ³⁷[****] environmental policies approved by the Council;
- (d) prepare and publish an annual ³⁸[Punjab] Environmental Report on the state of the environment;
- (e) prepare or revise, and establish the ³⁹[Punjab] Environmental Quality Standards with approval of the Council:

Provided that before seeking approval of the Council, the ⁴⁰[Provincial Agency] shall publish the proposed ⁴¹[Punjab] Environmental Quality Standards for public opinion in accordance with the prescribed procedure; and

- (f) ensure enforcement of the ⁴²[Punjab] Environmental Quality Standards;
- ⁴³[(g)] establish standards for the quality of the ambient air, water and land, by Notification in the Official Gazette;
- (h) co-ordinate environmental policies and programmes nationally and internationally;
- (i) establish systems and procedures for surveys, surveillance, monitoring, measurement, examination, investigation, research, inspection and audit to prevent and control pollution, and to estimate the costs of cleaning up pollution and rehabilitating the environment in various sectors;
- (j) take measures to promote research and the development of science and technology which may contribute to the prevention of pollution, protection of the environment, and sustainable development;
- (k) certify one or more laboratories as approved laboratories for conducting tests and analysis and one or more research institutes as environmental research institutes for conducting research and investigation, for the purposes of this Act;
- (l) identify the needs for, and initiate legislation in various sectors of the environment;
- (m) render advice and assistance in environmental matters, including such information and data available with its as may be required for carrying out the purposes of this Act:

Provided that the disclosure of such information shall be subject to the restrictions contained in the proviso to sub-section (3) of section 12;

³⁶ Word "National" omitted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV of 2012)

³⁷ Word "National" omitted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV of 2012)

³⁸ Word "National" substituted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV of 2012)

³⁹ Word "National" substituted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV of 2012)

⁴⁰ Word "Federal Agency" substituted by the Punjab Environmental Protection (Amendment) Act.

- (n) assist the local councils, local authorities, Government Agencies and other persons to implement schemes for the proper disposal of wastes so as to ensure compliance with the standards established by it;
 - (o) provide information and guidance to the public environmental matters;
 - (p) recommend environmental courses, topics, literature and books for incorporation in the curricula and syllabi of educational institutions;
 - (q) promote public education and awareness of environmental issues through mass media and other means, including seminars and workshops;
 - (r) specify safeguards for the prevention of accidents and disasters which may cause pollution, collaborate with the concerned person in the preparation of contingency plans for control of such accidents and disasters, and co-ordinate implementation of such plans;
 - (s) encourage the formation and working of non-governmental organizations, community organizations and village organizations to prevent and control pollution and promote sustainable development;
 - (t) take or cause to be taken all necessary measure for the protection, conservation, rehabilitation and improvement of the environment, prevention and control of pollution and promotion of sustainable development; and
 - (u) perform any function which the Council may assign to it.
- (2) The ⁴⁴[Provincial Agency] may---
- (a) undertake inquires or investigation into environmental issues, either of its own accord or upon complaint from any person or organisation;
 - (b) request any person to furnish any information or data relevant to its functions;
 - (c) initiate with the approval of the ⁴⁵[Government], requests for foreign assistance in support of the purposes of this Act and enter into arrangements with foreign agencies or organizations for the exchange of material or information and participate in international seminars or meetings;
 - (d) recommend to the ⁴⁶[Government] the adoption of financial and fiscal programmes, schemes or measures for achieving environmental objectives and goals and the purposes of this Act including:-
 - (i) incentives, prizes awards, subsidies, tax exemptions, rebates and depreciation allowances;
 - (ii) taxes, duties, cesses and other levies;
 - (e) establish and maintain laboratories to help in the performance of its functions under this Act and to conduct research in various aspects of the environment and provide or arrange necessary assistance for establishment of similar laboratories in the private sector; and
 - (f) provide or arrange, in accordance with such procedure as may be prescribed, financial assistance for projects designed to facilitate the discharge of its functions.

7. Powers of the ⁴⁷[Provincial Agency].— Subject to the provisions of this Act, the ⁴⁸[Provincial Agency] may---

⁴⁴ Words "Federal Agency" substituted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV of 2012)

attested
Ruqiyah

RUQIYA UMBREEN
Law Officer/Prosecutor
Environmental Protection Agency
Punjab, Lahore.

- (a) lease, purchase, acquire, own, hold, improve, use or otherwise deal in and with any property both movable and immovable;
- (b) sell, convey, mortgage, pledge, exchange or otherwise dispose of its property and assets;
- (c) fix and realize fees, rates and charges for rendering any service or providing any facility, information or data under this Act or the rules and regulations made thereunder;
- (d) enter into the contracts, execute instruments, incur liabilities and do all acts or things necessary for proper management and conduct of its business;
- (e) appoint with the approval of the ⁴⁹[Government] and in accordance with such procedures as may be prescribed, such advisers, experts and consultants as it considers necessary for the efficient performance of its functions on such terms and conditions as it may deem fit;
- (f) summon and enforce the attendance of any person and require him to supply any information or document needed for the conduct of any enquiry or investigation into any environmental issue;
- (g) enter and inspect and under the authority of a search warrant issued by the Environmental Tribunal or Environmental Magistrate, search at any reasonable time, any land, building, premises, vehicle or vessel or other place where or in which, there are reasonable grounds to believe that an offence under this Act has been or is being committed;
- (h) take samples of any materials, products, articles or substances or of the effluents, wastes or air pollutants being discharged or emitted or of air, water or land in the vicinity of the discharge or emission;
- (i) arrange for test and analysis of the samples at a certified laboratory;
- (j) confiscate any article used in the commission of the offence where the offender is not known or cannot be found within a reasonable time;

Provided that the power under clauses (f), (h), (i), and (j) shall be exercised in accordance with the provisions of the Code of Criminal Procedure, 1898 (Act V of 1898), or the rules made under this Act and under the direction of the Environmental Tribunal or Environmental Magistrate; and

- ⁵⁰[(k) establish the Punjab Environmental Coordination Committee comprising the Director General as its convener and such other members as the Government may appoint to exercise such powers and perform such functions as may be delegated or assigned to it by the Government for carrying out the purposes of this Act.]

8. ⁵¹[*****].

9. **Establishment of the Provincial Sustainable Development Funds.**— ⁵²[(1) There shall be established a Provincial Sustainable Development Fund].

(2) The Provincial Sustainable Development Fund shall be derived from the following sources, namely:-

- (a) grants made or loans advanced by the ⁵³[Government or the Federal Government];

⁴⁸ Words "Federal Agency" substituted by the Punjab Environmental Protection (Amendment) Act, 2012 (XXXV of 2012)

⁴⁹ Words "Federal Government" substituted by the Punjab Environmental Protection (Amendment) Act

- (b) aid and assistance, grants, advances, donations and other non-obligatory funds received from foreign governments, ⁵⁴[punjab] or international agencies, and non-governmental organizations; and
- (c) contributions from private organizations, and other persons.
- (3) The Provincial Sustainable Development Fund shall be utilized in accordance with such procedure as may be prescribed for..
 - (a) providing financial assistance to the projects designed for the protection, conservation, rehabilitation and improvement of the environment, the prevention and control of pollution, the sustainable development of resources and for research in any specified aspect of environment; and
 - (b) any other purpose which in the opinion of the Board shall help achieve environmental objectives and the purposes of this Act.
- 10. Management of the Provincial Sustainable Development Fund.—**⁵⁵[(1) The Provincial Sustainable Development Fund shall be managed by a Board known as the Provincial Sustainable Development Fund Board consisting of-
 - (i) Chairman, Planning and Development Board; Chairperson
 - (ii) Such officers of the Government, not exceeding six, as the Government may appoint including Secretaries incharge of the Finance, Industries and Environment Departments; Members
 - (iii) such non-official persons not exceeding ten as the Government may appoint including representatives of the Chamber of Commerce and Industry, non-governmental organizations and major donors; and Members
 - (iv) Director General of the Provincial Agency. Member/Secretary]
- (2) In accordance with such procedure and such criteria as may be prescribed, the Board shall have the power to---
 - (a) sanction financial assistance for eligible projects;
 - (b) invest moneys held in the Provincial Sustainable Development Fund in such profit-bearing government bonds, savings schemes and securities as it may deem suitable; and
 - (c) take such measures and exercise such powers as may be necessary for utilization of the Provincial Sustainable Development fund for the purposes specified in sub-section (3) of section 9.
- (3) The Board shall constitute committees of its members to undertake regular monitoring of projects financed from the Provincial Sustainable Development Fund and to submit progress reports to the Board which shall publish an Annual Report incorporating its annual audited accounts, and performance evaluation based on the progress reports.

11. Prohibition of certain discharges or emissions.— (1) Subject to the provisions of this Act and the rules and regulations made there under no person shall discharge or emit or allow the discharge or emission of any effluent or waste or air pollutant or noise in an amount, concentration or level which is in excess of the

