**PROVINCIAL ASSEMBLY OF THE PUNJAB**

**Bill No. 27 of 2017**

**THE PUNJAB ENVIRONMENT PROTECTION (AMENDMENT) BILL 2017**

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BILL

*further to amend the Punjab Environment Protection Act, 1997.*

It is necessary to amend the Punjab Environment Protection Act, 1997 *(XXXIV of 1997)* to rationalize the provisions about the delegation of powers of the Director General, filing of complaints and incidental matters.

Be it enacted by the Provincial Assembly of the Punjab:

**1. Short title and commencement**.– (1) This Act may be cited as the Punjab Environment Protection (Amendment) Act 2017.

(2) It shall come into force at once.

**2. Amendment in section 5 of Act XXXIV of 1997**.– In the Punjab Environment Protection Act, 1997 *(XXXIV of 1997)*, for brevity cited as the Act, in section 5, for subsection (5), the following shall be substituted:

“(5) The Director General may, by general or special order, delegate any of the functions of the Provincial Agency exercised by him under subsection (4) to any other officer appointed under subsection (3).”.

**3.** **Amendment in section 11 of Act XXXIV of 1997**.– In the Act, in section 11, in subsection (1), after the words “standards established under”, the words “ sub-clause (i) of” shall be omitted.

**4.** **Amendment in section 21 of Act XXXIV of 1997**.– In the Act, in section 21, in subsection (3), after the words “Provincial Agency”, wherever occur, the words “or an officer authorized by it” shall be inserted.

**5.** **Amendment in section 34 of Act XXXIV of 1997**.– In the Act, in section 34, after subsection (2), the following subsection (3) shall be added and shall be deemed to have been so added on and from 18 April 2012 when the Punjab Environment Protection (Amendment) Act 2012 came into force:

“(3) Notwithstanding the omission of section 8 of the Act by the Punjab Environment Protection (Amendment) Act 2012 (XXXV of 2012), any rules, regulations or appointments made, orders passed, notifications issued, powers delegated, contracts entered into, proceedings taken, rights acquired, liabilities incurred, penalties imposed, rates, fees or charges levied or other things done or actions taken under the provisions of said section, shall continue to have effect unless recalled withdrawn or cancelled.”.

**STATEMENT OF OBJECTS AND REASONS**

Certain amendments are required to be brought about in the Punjab Environment Protection Act, 1997 *(XXXIV of 1997)* to rationalize the provisions about the delegation of powers of the Director General and filing of complaints. These amendments are being introduced in the wake of various observations of the Environmental Tribunal and superior courts. The amendments will help ensure *inter alia* the smooth functioning of the Punjab Environment Protection Agency. Hence this Bill

**MINISTER INCHARGE**

**Lahore: RAI MUMTAZ HUSSAIN BABAR**

**13 September 2017 Secretary**