

GOVERNMENT OF THE PUNJAB
ENVIRONMENT PROTECTION
DEPARTMENT

Dated Lahore, 30th April 2012

NOTIFICATION

No. *Legis-5-57/2012* - In exercise of the powers conferred under section 31 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 Tribunal Rules 2012.
(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) "Bench" means a Bench of Tribunal consisting of the Chairperson and at least one member;
- (c) "Chairperson" means the Chairperson of the Tribunal;
- (d) "corporation service" means employment in a corporation or other body set up established, owned, managed or controlled by the Government;
- (e) "Director General" means Director-General of the Provincial Agency;
- (f) "member" means a member of the Tribunal;
- (g) "Registrar" means Registrar of the Tribunal;
- (h) "service of Pakistan" shall mean the same as in Article 260 of the Constitution of the Islamic Republic of Pakistan; and
- (i) "Tribunal" means an Environmental Tribunal established under section 20 of the Act.

(2) All other words and expressions used in these rules but not defined shall have the same meanings as are assigned to them in the Act.

3. Term of office of the Chairperson and members.—(1) Subject to sub-rules (2) and (3), the term of office of the Chairperson or a member shall not exceed three years.

(2) The Government may extend the term of office of the Chairperson or any member for such period, not exceeding three years, as it may deem fit.

(3) A member, who immediately before his appointment was holding a post in the service of Pakistan, may be transferred in public interest before the expiry of the term under this rule.

(4) The Chairperson or a member may resign by submitting resignation in writing to the Government.

(5) The Chairperson or a member shall not simultaneously hold any other office in the service of Pakistan.

4. Qualifications.— (1) A technical member of the Tribunal shall be a person who has at least:

- (a) B.Sc. Engineering degree (second division) in chemical, civil, public health, environmental, mechanical, industrial engineering; or M.Sc. degree (second division) in chemistry, biology, chemical technology, environment, environmental planning and management or bio-chemistry; and
- (b) seventeen years post academic qualification experience in BS-17 and above or equivalent relating to the field of any of the prescribed academic qualification.

(2) The third member of the Tribunal, if not a technical member, shall be a person who has, for a period of not less than seventeen years held a post in the service of Pakistan, or in corporation service, or who has, for a period of ten years, been an advocate of a High Court.

5. Salary, allowances and privileges.—(1) If a retired Judge of the High Court is appointed as Chairperson, he shall be entitled to such salary, allowances and privileges as were admissible to him as such Judge.

(2) If a person who is in the service of Pakistan or in the corporation service is appointed as a member, he shall be entitled to the same salary, allowances and privileges as are admissible to him in such service but if such person is promoted to a higher grade after his appointment as a member, he shall be entitled, from the date of such promotion, to the salary, allowances and privileges admissible to him in the higher grade.

(3) If a person who has retired from the service of Pakistan or from corporation service is appointed as a member, he shall draw such salary and allowances and shall be entitled to such privileges as are admissible to him under the rules applicable to such retired person on re-employment.

