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PART-IVA

PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 13TH FEBRUARY, 2014.

NO.PAS/Legis-B-06/2014-The following Bill is hereby published for general information as required by Rule 98 of Rules of Procedure of the Provincial Assembly of Sindh.

THE SINDH ENVIRONMENTAL PROTECTION BILL, 2014.

SINDH BILL NO. 06 OF 2014.

**A
BILL**

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;

Preamble.

PART-I

It is hereby enacted as follows:-

Short title and commencement.

1. (1) This Act may be called the Sindh Environmental Protection Act, 2014.

(2) It extends to the whole of the Province of Sindh.

(3) It shall come into force at once.

Definitions.

2. 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 rules or regulations made under this Act;

(ii) "Agency" means the Sindh Environmental Protection Agency established under section 5 of this Act;

(iii) "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 and agricultural runoff;

(iv) "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;

(v) "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;

(vi) "biosafety" means the mechanism developing through policy and procedure to ensure human health and the environmentally safe application of biotechnology;

- (vii) "Council" means the Sindh Environmental Protection Council established under section 3 of this Act;
- (viii) "discharge" means spilling, leaking, pumping, depositing, seeping, releasing, flowing-out, pouring, emitting, emptying or dumping into the land, water or atmosphere;
- (ix) "ecosystem" means a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit;
- (x) "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;
- (xi) "emission standards" means the permissible standards established by the Agency for emission of air pollutants and noise and for discharge of effluent and waste;
- (xii) "environment" means-
 - (a) air, water, land and natural resources;
 - (b) all layers of the atmosphere;
 - (c) all organic and inorganic matters and living organisms;
 - (d) ecosystems and ecological relationships;
 - (e) buildings, structures, roads, facilities and works;
 - (f) all social and economic conditions affecting community life; and
 - (g) the inter-relationship between any of the factors in sub-clause (a) to (f) made under this Act;
- (xiii) "environmental aspect" means an organization's activities or services that can interact with the environment;
- (xiv) "environment audit" means a systemic scrutiny of environmental performance of an organization, factory, company or manufacturing and production unit regarding to its operations;
- (xv) "environmental impact assessment" means an environmental study comprising collection of data, prediction of qualitative and quantitative impacts, comparison of alternatives, evaluation of preventive, mitigation 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;

- (xvi) "Environmental Management Plan" means a site specific plan developed to ensure that all necessary measures are identified and implemented in order to protect the environment and comply with the environmental legislation;
- (xvii) "Environmental Protection Order" means an order passed under Section 21 made under this Act.
- (xviii) "Environmental Protection Tribunal" means the Environmental Protection Tribunal constituted under section 25 of this Act ;
- (xvix) "Environmental Review" means a quantitative and qualitative assessment of documents submitted by proponent, comments from public and Government agencies or organizations;
- (xx) "factory" means any premises in which industrial activity is being undertaken;
- (xxi) "genetically modified organism" means any organism that possesses a novel combination of genetic material obtained through the use of modern biotechnology and which does not occur naturally through mating and or recombination and includes both living and non-living modified organisms;
- (xxii) "Government" means the Government of Sindh;
- (xxiii) "Government Agency" includes:-
- (a) A department, attached department or any other office of Government; and
 - (b) A development authority, local authority, company body corporate established or control by Government;
- (xxiv) "Court" means the Court of the Judicial Magistrate First Class;
- (xxv) "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;
- (xxvi) "hazardous waste" means waste which is or which contains a hazardous substance or which may be prescribed as hazardous waste, hospital waste, nuclear waste, obsolete pesticides and persistent organic pollutants;
- (xxvii) "hospital waste" means 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, laboratories and veterinary facilities;
- (xxviii) "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 purposes;
- (xxix) "industrial waste" means waste resulting from an industrial activity;
- (xxx) "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;
- (xxxi) "local authority" means any agency set up or designated by Government, by notification in the official Gazette, to be a local authority for the purposes of this Act;
- (xxxii) "local council" means a local council constituted or established under a law relating to local government;
- (xxxiii) "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;

- (xxxiv) "municipal waste" includes sewage, refuse, garbage, waste from abattoirs, sludge and human excreta and the like;
- (xxxv) "noise" means the intensity, duration and character of sounds from all sources, and includes vibration;
- (xxvi) "non-degradable plastic products" means a plastic product which are made from the non-biodegradable substances;
- (xxxvii) "nuclear waste" means waste from any nuclear reactor or nuclear plant or other nuclear energy system, whether or not such waste is radioactive;
- (xxxviii) "Oxo-biodegradable Plastic Products" means a plastic product made of a polymer by adding a pro-degrading additive containing a transition metal salt, except cobalt, which cause the plastic to degrade and bio-grade from oxidative and cell mediated phenomena either simultaneously or successfully;
- (xxxix) "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;
- (xl) "pollution" means the contamination of air, land or water by the discharge or emission of effluent or wastes or air pollutants or noise or other matter which either directly or indirectly or in combination with other discharges or substances alters unfavorably 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 harmful to biodiversity;
- (xli) "prescribed" means prescribed by rules made under this Act;
- (xlii) "project" means any activity, plan, scheme, proposal or undertaking involving any change in the environment and includes-
- (a) construction or 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;
- (xliii) "proponent" means the person who proposes or intends to undertake a project;
- (xliv) "regulations" means regulations made under this Act;
- (xlv) "rules" means rules made under this Act;
- (xlvi) "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;
- (xlvii) "Schedule Plastic Products" means all types of flexible plastic packaging and disposable plastic products made of Polythene, Polypropylene, Polystyrene and Poly-ethylene Terephthalate (PET), used for food and non-food items, like shopping bags, garbage bags, snacks packs, water and milk packaging, shrink wraps, bubble pellet wraps, films, liners, woven or non-woven bags, mulch films;
- (xlviii) "Sindh Environmental Quality Standards" means standards established by the Agency under clause (e) of sub-section(1) of section 6 and approved by the Council under clause (c) of sub-section(1) of section 4 made under this Act;
- (xlix) "standards" means qualitative and quantitative standards for discharge of effluent 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 Sindh Environmental Quality Standards, emission standards and other standards established under this Act and the rules and regulations;

- (i) "strategic environmental assessment" means an analysis of a proposed policy, legislation, plan or programme to determine whether the principles of sustainable development have been integrated therein and to identify its likely environmental effects and such components as require an initial environmental examination or environmental impact assessment;
- (ii) "sustainable development" means development that meets the needs of the present generation without compromising the ability of future generations to meet their needs;
- (iii) "trans-boundary environmental impacts" means environmental impact arising from beyond the boundaries or limits of Sindh province and causing any adverse environmental impact or pollution in the air, land, water and coastal water of Sindh province;
- (iv) "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.
- (v) "waters (coastal waters, internal waters, territorial waters and historical waters)" means such limits of the waters adjacent to the land territory as may be specified in the Territorial Waters and Maritime Zones Act, 1976 (LXXXII of 1976).

PART-II

THE SINDH ENVIRONMENTAL PROTECTION COUNCIL.

**Establishment of
the Sindh
Environmental
Protection
Council.**

3. (1) The Government of Sindh shall, by notification in the official Gazette, establish a Council to be known as the Sindh Environmental Protection Council consisting of-

- (i) Chief Minister or such other Chairperson person as the Chief Minister may nominate in this behalf.
- (ii) Minister-in-charge of the Vice Chairperson Environment Protection Department.

- (iii) Additional Chief Secretary, Planning and Development Department, Government of Sindh. Ex-officio member
- (iv) Secretaries of the Environment, Finance, Public Health Engineering, Irrigation, Health, Agriculture, Local Government, Industries, Live Stock and Fisheries, Forest and Wildlife, Energy, Education, Departments of Government of Sindh and the divisional commissioners of Sindh. Ex-officio members
- (v) Such other persons not exceeding twenty-five as Government may appoint from representatives of the Chambers of Commerce and Industry and industrial associations, representatives of the Chambers of Agriculture, the medical and legal professions, trade unions, non-governmental organizations concerned with the environment and sustainable development, and scientists, technical experts and educationists. Non-official members
- (vi) Director General, Sindh Member / Environment Protection Agency Secretary

2) The Members of the Council, other than ex-officio members, shall be appointed in accordance with the prescribed procedure.

(3) A non-official member, unless he sooner resigns or is removed, shall hold office for a term of three years and shall be eligible for re-appointment but shall not hold office for more than two terms.

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

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

Functions and powers of the Council.

(6) 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.

(7) 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. (1) The Council shall-
- (a) co-ordinate and supervise the enforcement of the provisions of this Act and other laws relating to the environment in the province;
 - (b) approve comprehensive provincial environmental and sustainable development policies and ensure their implementation within the framework of a conservation strategy and sustainable development plan as may be approved by Government from time to time;
 - (c) approve the Sindh Environmental Quality Standards;
 - (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 socio-economic and development policies, plans and programmes at the provincial, district and local levels;
 - (f) consider the annual Sindh Environment report and give appropriate directions thereon and cause it to be laid before the Provincial Assembly;
 - (g) deal with inter-provincial and federal-provincial issues, and liaise and coordinate with other Provinces through appropriate inter-provincial forums regarding formulation and implementation of standards and policies relating to environmental matters with an inter-provincial impact;
 - (h) provide guidelines for biosafety and for the use of genetically modified organisms; and

- (i) assist the Federal Government or Federal Agency in implementation and or administration of various provision of United Nation Convention on Laws on Seas, 1980 (UNCLOS) in coastal waters of the province;

(2) The Council may, either itself or on the request of any person or organization, direct the 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 specified aspect of environment.

PART III

THE SINDH ENVIRONMENTAL PROTECTION AGENCY

5. (1) Government shall, by notification in the Official Gazette, establish the Sindh Environmental Protection Agency, to exercise the powers and perform the functions assigned to it under the provisions of this Act and the rules and regulations made thereunder.

**Establishment
of the Sindh
Environmental
Protection
Agency.**

(2) The Agency shall be headed by a Director General who shall be appointed by Government on such terms and conditions as it may determine.

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

(4) The powers and functions of the 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 Agency in the discharge of its functions 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. (1) The Agency shall—

- (a) administer and implement the provisions of this Act and the rules and regulations;

**Functions of the
Agency.**

- (b) prepare, in co-ordination with the appropriate Government Agency or local council and, in consultation with the concerned Advisory Committees where established, environmental policies for the approval of the Council;
- (c) take all necessary measures for the implementation of the environmental policies approved by the Council;
- (d) prepare and publish an annual Sindh Environment Report on the state of the environment in the province;
- (e) prepare or revise and establish the Sindh Environmental Quality Standards with approval of the Council:

Provided that before seeking approval of the Council, the Agency shall publish the proposed Sindh Environmental Quality Standards for public opinion in accordance with the prescribed procedure;

- (f) ensure enforcement of the Sindh Environmental Quality Standards;
- (g) where the quality of ambient air, water, land or noise so requires, the Agency may, by notification in the Official Gazette establish different standards for discharge or emission from different sources and for different areas and conditions as may be necessary:

Provided that where these standards are less stringent than the Sindh Environmental Quality Standards; prior approval of the Council shall be obtained;

- (h) 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;
- (i) 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;
- (j) issue licences, approval for the consignment, handling, transport, treatment, disposal of, storage, handling or otherwise dealing with hazardous substances;

- (k) certify 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) provide assistance to relevant Federal and Provincial Government Agencies in the management of environment accidents and natural and environmental disasters, including conduct of inquiry thereto;
- (n) render advice and assistance in environmental matters including such information and data available with it 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 specified in Part XI (Access to Information);

- (o) assist Government Agencies, local councils, local authorities and other persons to implement schemes for the proper disposal of wastes so as to ensure compliance with the Sindh Environmental Quality Standards;
- (p) provide information and guidance to the public on environmental matters;
- (q) recommend environmental courses, topics, literature and books for incorporation in the curricula and syllabi of educational institutions;
- (r) promote public education and awareness of environmental issues through mass media and other means including seminars and workshops;
- (s) establish and maintain mechanisms, including its own website, to disseminate information, subject to the provisions of this Act, regarding policies, plans and decisions of the Government, the Council and the Agency, relating to the environment;
- (t) specify safeguards for the prevention of accidents and disasters which may cause pollution, collaborate with the concerned persons in the preparation of contingency plans for control of such accidents and disasters, and co-ordinate implementation of such plans;

- (u) review and approve mitigation plans and give guidance and directions, where necessary, relating to clean up operations ordered under this Act;
 - (v) encourage the formation and working of non-governmental organizations, community organizations and village organizations to prevent and control pollution and promote sustainable development;
 - (w) take or cause to be taken all necessary measures for the protection, conservation, rehabilitation and improvement of the environment, prevention and control of pollution and promotion of sustainable development; and
 - (x) perform any function that the Council may assign to it.
- (2) The Agency may -
- (a) undertake inquiries or investigation into environmental issues, either of its own accord or upon complaint from any person or organization;
 - (b) request any person to furnish any information or data relevant to its functions;
 - (c) initiate, with the approval of 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 Government and the Council the adoption of financial and fiscal programmes, schemes or measures for achieving environmental objectives and goals and the purposes of this Act, including -
 - (i) taxes, duties, cesses and other levies; and
 - (ii) incentives, prizes, awards, rewards, subsidies, tax exemptions, rebates and depreciation allowances;
 - (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 the establishment of similar laboratories in the private sector;
 - (f) arrange, in accordance with such procedure as may be prescribed, financial assistance for projects designed to facilitate in discharge of its functions; and

- (g) acquire assistance of concerned authorities of district administration and other relevant agencies, departments and police assistance for enforcement of this Act.

7. Subject to the provisions of this Act, the Agency may-

Powers of the Agency.

- (a) lease, purchase, acquire, own, hold, improve, use or otherwise deal in and with any property both moveable 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 its rules and regulations;
- (d) enter into 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 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) Director General may authorize any officer or official to enter and inspect or under a search warrant issued by Environmental Protection Tribunal or a Court, search at any 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, or likely to be committed;
- (h) take samples of any materials, products, articles or substances or of the effluent, 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 the testing and analysis of 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 powers under clauses (f), (g), (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 and regulations and under the direction of the Environmental Protection Tribunal or a Court; and

- (k) establish the Sindh Environmental Co-ordination Committee comprising the Director-General as its Chairman and such other persons as Government shall appoint as its members to exercise such powers and perform such functions as shall be delegated or assigned to it by Government for carrying out the purposes of this Act and for ensuring coordination among Government Agencies in implementation of environmental policies.

PART IV SINDH SUSTAINABLE DEVELOPMENT FUND

Establishment of the Sindh Sustainable Development Fund.

8. (1) There shall be established a Sindh Sustainable Development Fund.

(2) The Sindh Sustainable Development Fund shall be derived from the following sources, namely—

- (a) allocations and grants made or loans advanced by the Government of Sindh or by the Federal Government;
- (b) aid and assistance, grants, advances, donations and other non-obligatory funds received from foreign governments, national or international agencies, and non-governmental organizations; and
- (c) voluntary contributions from private, corporate, multinational organizations and other persons.
- (d) Any fees generated under the provision of this act including the fines imposed against contraventions

including penalties.

(3) The Sindh Sustainable Development Fund shall be utilized, in accordance with such procedures as may be prescribed for -

(a) providing financial assistance to 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 the environment; and

(b) any other purposes which, in the opinion of the Board, will help achieve environment objectives and the purposes of this Act.

9. (1) The Sindh Sustainable Development Fund shall be managed by a Board known as the Provincial Sustainable Development Fund Board consisting of—

- (i) Additional Chief Secretary,
Planning and Development Chairperson
Department, Government of
Sindh,
- (ii) Such officers of Government, Ex-officio Members
not exceeding five (05), as
Government may appoint
including Secretaries of the
Environment, Finance,
Industries and Local
Government Departments,
Government of Sindh.
- (iii) Such non-official persons, not Non-official Members
exceeding five(05), as
Government may appoint,
including representatives of
the Chambers of Commerce
and Industry, non-
governmental organizations
and major donors.
- (iv) Director General, Sindh Secretary/ Member
Environmental Protection
Agency.

**Management of
the Sindh
Sustainable
Development
Fund.**

(2) The members of the Board, other than ex-officio members, shall be appointed in accordance with the prescribed procedure.

(3) A non-official member of the Board, unless he sooner resigns or is removed, shall hold office for a term of three years and shall be eligible for re-nomination, but shall not hold office for more than two terms.

(4) The Board shall frame its own rules of procedure with the approval of Government.

(5) In accordance with such procedures 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 Sindh Sustainable Development Fund in such profit-bearing Government bonds, saving 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 Sindh Sustainable Development Fund for the purposes specified in sub-section (3) of section 8.

(6) The Board shall constitute committees of its members to undertake regular monitoring of projects financed from the Sindh 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.

10. Accounts- (1) The Agency shall maintain proper accounts of the Sindh Sustainable Development Fund and other relevant records and prepare annual statement of accounts in such form as may be prescribed.

(2) The accounts of the Sindh Sustainable Development Fund shall be audited annually by the Auditor General of Pakistan.

PART V PROHIBITIONS AND ENFORCEMENT

Prohibition of certain discharges or emissions and compliance with standards.

11. (1) Subject to the provisions of this Act and the rules and regulations, no person shall discharge or emit or allow the discharge or emission of any effluent, waste, pollutant, noise or any other matter that may cause or likely to cause pollution or adverse environmental effects, as defined in section 2 of this Act, in an amount, concentration or level which is in excess to that specified in Sindh Environmental Quality Standards; or, where applicable, the standards established under Section 6(1)(g)(i); or

direction issued under Section 17, 19, 20 and 21 of this Act; or any other direction issued, in general or particular, by the Agency.

(2) All persons, in industrial or commercial or other operations, shall ensure compliance with the Environmental Quality Standards for ambient air, drinking water, noise or any other Standards established under section 6(1)(g)(i); shall maintain monitoring records for such compliances; shall make available these records to the authorized person for inspection; and shall report or communicate the record to the Agency as required under any directions issued, notified or required under any rules and regulations.

(3) Monitoring and analysis under sub-section (1) and (2), shall be acceptable only when carried out by the Environmental Laboratory certified by the Agency as prescribed in the rules.

12. No person shall import hazardous waste into Sindh province or its coastal, internal, territorial or historical waters, except acquiring prior approval of the Agency.

Prohibition of import of hazardous waste.

13. Subject to the provisions of this Act, no person shall import, generate, collect, consign, transport, treat, dispose of, store, handle or otherwise use or deal with any hazardous substance except-

Handling of hazardous substances.

(a) under a licence issued by the Agency; or

(b) in accordance with the provisions of any other law, rule, regulation or notification for the time being in force, or of any international treaty, convention, protocol, code, standard, agreement or other instrument to which Government is a party.

14. (1) Subject to the provisions of this Act and the rules and regulations, no person shall cause any act, deed or any activity, including-

Prohibition of action adversely affecting Environment.

(a) recycling or reuse of hospital waste and infectious waste;

(b) disposal of solid and hazardous wastes at unauthorized places as prescribed;

(c) dumping of wastes or hazardous substances into coastal waters and inland water bodies;

(d) release of emissions or discharges from industrial or commercial operations as prescribed;

(e) recycling or reuse or recovery of hazardous wastes or

