

# INITIAL ENVIRONMENTAL EXAMINATION AND ENVIRONMENT IMPACT ASSESSMENT

## Background

An Environmental Impact Assessment (EIA) is an assessment of the possible positive or negative impacts that a proposed project may have on the environment, consisting of the environmental, social and economic aspects. The purpose of the assessment is to ensure that decision makers consider the ensuing environmental impacts when deciding whether or not to proceed with a project at the planning stage. **Daniel, S., Tsoulfas, G., Pappis, C., & Rachaniotis, N. (2004) Aggregating and evaluating the results of different Environmental Impact Assessment methods Ecological indicators.** EIAs are unique in that they do not require adherence to a predetermined environmental outcome, but rather they require decision -makers to account for environmental values in their decisions and to justify those decisions in light of detailed environmental studies and public comments on the potential environmental impacts of the proposal.

## Suggested Readings

### Rules and Regulations

- Constitution of Islamic Republic of Pakistan, 1973- Article.19-A (Right to Information)
- PEPA, 1997/ Punjab–Definitions: Section.2 (x) (xi)& (xxiv) (xxix), Process of IEE and EIA Sect 12 and Penalty Sect 17
- Baluchistan Environment Protection Act, 2012- Sections. 2(q), (ff),(aaa), 13, 15, 25
- The Sindh Environmental Protection Act,2014-Sections. 2 (xii),(xv),(xxx), 17-21
- The Khyber Phakhtunkhwa Environmental Protection Act,2014- Sections-2( r),(ff),(s), 13 & 18
- Pakistan Environmental Protection Agency (Review of IEE/EIA) Regulations, 2000
- National Environmental Quality Standards (Environmental Laboratories Certification) Regulations, 2000
- National Environmental Quality Standards
- Government of Pakistan (GOP), Pak EPA, guidelines for public participation, preparation and Review of EIA Reports
- GOP, Pak EPA, Sectorial Guidelines
- Sectorial Guidelines for KPK and Baluchistan

### International Conventions

- Rio Declaration, 1992 Principle no.17
- Convention on Environment impact assessment in a Trans-boundary context, 1991
- Convention on access to information, Public Participation in decision-making and access to justice in Environmental matters, 1998

## Case Law

### Pakistan

- *Pakistan Defence Officers Housing Authority vs. Federation of Pakistan through Ministry of Environment Protection*, **2014 CLD 1279 / 2014 PLD 511 Kar**
- *Salim Godil vs. Province of Sindh*, **2014 CLD 222 Kar**
- *Messrs Rabbiya Associates through Proprietor vs. Messrs ZONG (China Mobile)*, **PLD 2011 Karachi 132**
- *DG-EPA, vs. Multan Industrial Estate, Multan*, **2011 CLD 1325 (environmental Tribunal Lahore)**
- *Raheel Majeed vs. DG-EPA*, **2011 CLD 1232 (Environmental Tribunal, Lahore)**
- *Sindh Particle Board Mills Limited through Company Secretary vs. Environmental Protection Agency through Director-General*, **2011 CLD 1271 (Environmental Tribunal, Karachi)**
- *Laferage Pakistan Cement Company limited vs. DG EPA*, **2011 CLD 1295 Lah. (Tribunal Case)**
- *Naeem Ahmed Mughal, Director General vs. Jabir Hussain Dada and another*, **2010 CLD 738 (Karachi)**
- *Shehri CBE, through Member Executive Committee vs. Sindh Environmental Protection Agency and another*, **2010 CLD 859**
- *Nighat Jamal vs. Province of Sindh and others*, **2010 YLR 2624 (Karachi)**
- **PLD 2010 Kar. 132**
- *Ms. Salma Iqbal Chundrigar vs. Federation of Pakistan through Secretary, Ministry of Environmental Protection, Islamabad*, **2009 CLD 682**
- *Farooq Hamid and others vs. L.D.A and others*, **2008 SCMR 468**
- *Ahmed Rehan Asif vs. Government of the Punjab through Chief Secretary and 11 others*, **2008 CLD 758 (Lahore)**
- *Sumaira Awan, Secretary General vs. Government of Pakistan*, **2008 CLD 1185**
- *Farooq Hamid and others, vs. L.D.A and others*, **2008 SCMR 483**
- *Nestle Milkpak Ltd. vs. Sindh Institute of Urology and others*, **PLD 2007 11 (Karachi)**
- *Shehri C.B.E. vs. Government of Pakistan and others*, **2007 CLC 783 (Karachi)**
- *Amer Bakht Azam through Attorney and 4 others vs. Co-operative Model Town Society (1962) Ltd. Lahore*, **2007 CLC 374 (Lahore)**
- *Shamsul Arfin and Others vs. Karachi Building Control Authority and others*, **PLD 2007 498 (Karachi)**
- *Shehri C.B.E. and others vs. Lahore Development Authority and Others*, **2006 SCMR 1202**
- *Doongi Ground*, **2006 SCMR 1202**

### India

- *Goa Foundation vs. Konkan Railways Corporation*, **AIR 1992 Bom. 471**

## **United Kingdom**

- *Reg. vs. North Yorkshire County Council, Ex parte Brown*, [2000] 1 A.C. 397, 404; [1999] 2 W.L.R. 452, 458

## **Further Readings**

- Environment Impact Assessment processes, methods, and practices in South Asia (Bangladesh, Bhutan, India and Nepal) by Ram B. Khadka
- Draft Chapter on EIA: Legal Requirements and Guidelines—A Critique (2013) by Saima Amin Khawaja and Nusrat Jahan Nabeela

## **Relevant Websites**

- [http://www.eiatoolkit.ewt.org.za/players/min\\_requirements.html](http://www.eiatoolkit.ewt.org.za/players/min_requirements.html)
- <http://www.sciencedirect.com/science/article/pii/S0195925508000292>
- <http://link.springer.com/article/10.1007%2Fs10661-011-2088-5>