

Pakistan-Balochistan Province

Country: [Pakistan](#) [1]

EIA Law: Balochistan Environment Protection Act, 2012

Law Link: [Link](#) [2]

EIA Regulations: Regulations have not yet been adopted (June 2014)

Projects Requiring EIA: Government projects

Private Projects

Abridged Assessments: Yes

Assessment Detail: Initial environmental examination (IEE) is used as a preliminary review to determine whether a proposed project is likely to cause an adverse environmental effect, thus triggering the requirement to prepare an environmental impact assessment. A project may be approved based on the IEE alone. BEP Act, secs. 2(ff), 15(1), 15(2)(a).

Best Practices in Lieu of EIA: No

Who Conducts Screening: Government

Who Conducts Screening Detail: "The Government Agency shall. . . review the initial environmental examination and accord its approval, or require submission of an environmental impact assessment by the proponent[.]" BEP Act sec. 15(2)(b)

Criteria for Screening: List or appendix of project or activity types

Proposed project or activity may cause significant environmental impact

Criteria for Screening Detail: Where a project is likely to cause an adverse environmental effect, the project proponent must file an EIA and obtain government agency approval. BEP Act, sec. 15(1). Certain projects must undergo the IEE/EIA procedure, including mining, quarrying and stone crushing. See BEP Act, sec. 15(9).

Who Prepares EIA: Project Proponent (with or without contractor)

Who Prepares EIA Detail: There is no specific provision declaring that the project proponent is responsible for preparing the EIA; however it is implied from context.

Who Pays for EIA: Project Proponent

Who Pays for EIA Detail: There is no specific provision declaring that the project proponent is responsible for preparing the EIA; however it is implied from context.

EIA Contractor Qualifications: No

Conflict of Interest: No

Terms of Reference: No

Days for Decision Maker Review: 4 months

Automatic Approval: Yes

Automatic Approval Detail: The EIA shall be deemed to have been approved "to the extent to which it does not contravene the provisions of this Act and the rules and regulations." BEP Act, sec. 15(4).

Written Decision: No

Written Decision Detail: The Act merely requires the agency to "communicate" its decision to the project proponent. BEP Act, sec. 15(4)

Authority to Impose Conditions: Yes

Authority to Impose Conditions Details: The Act states that the Government Agency's review and approval of an EIA is "subject to such conditions as it may deem fit to impose." BEP Act, sec. 15(2)(b).

Expiry of Decision: Not specified

Financial Assurances or Bond: No

Interdisciplinary Team: No

Range of Alternatives: Yes

Range of Alternatives Detail: The EIA study comprises a "comparison of alternatives[.]" BEP Act, sec. 2(q).

No Action Alternative: No

Mitigation: Yes

Mitigation Detail: An EIA study comprises "mitigation and compensatory measures[.]" EP Act, sec. 2(q).

Monitoring Plans: Yes

Monitoring Plans Detail: An EIA study comprises "formulation of environmental management and training plans and monitoring arrangements[.]" BEP Act, sec. 2(q).

Public Notice of Draft EIA: No

Draft EIA Available: No

Draft EIA Locations: Not available

Public Notice of Final EIA: No

Public Notice of Final EIA Detail: Detailed public participation procedures are not provided in the Environment Protection Act.

Final EIA Available: No

Final EIA Available Detail: Detailed public participation procedures are not provided in the Environment Protection Act. The Act states that a registry of projects must be maintained, but it only includes "brief particulars of each project and a summary of decisions taken thereon, and which shall be open to inspection by the public at all reasonable hours[.]" BEP Act, sec. 15(7).

Final EIA Locations: Agency or ministry office

Availability of Reference Studies: No

Availability of Reference Studies Detail: The Environment Protection Act prohibits disclosure, at the request of a project proponent, of a broad range of information that could conceivably be included in supporting studies and data. This provision could be construed to block public access to key information. See BEP Act, sec. 15(3)(i)

Public Notice of Final Decision: Yes

Public Notice of Final Decision Detail: Detailed public participation procedures are not provided in the Environment Protection Act. The Government Agency shall maintain separate registers for IEEs and EIAs which shall contain "brief particulars of each project and a summary of decisions taken thereon, and which shall be open to inspection by the public at all reasonable hours[.]" BEP Act, sec. 15(7).

Public Scoping: No**Public Review of TOR:** No

Public Participation Opportunities: Review of final EIA

Public Meetings Detail:: Detailed public participation procedures are not provided in the Environment Protection Act.

Public Input at Meeting Detail: Detailed public participation procedures are not provided in the Environment Protection Act.

Days for Public to Review Final EIA: Not specified

Public Comments on Final EIA: Yes

Public Comments on Final EIA Detail: Detailed public participation procedures are not provided in the Environment Protection Act. However, the Act states that "every review of an environmental impact assessment shall be carried out with public participation[.]" BEP Act, sec. 15(3).

Response to Public Comments: No

Response to Public Comments Detail: Detailed public participation procedures are not provided in the Environment Protection Act.

Facilitation of Public Participation: No**Citizen Administrative Review:** No**Citizen Judicial Review:** Yes

Citizen Judicial Review Detail: Any person aggrieved by any order or direction of the Balochistan Environmental Protection Agency under any provision of the EP Act may appeal to the Balochistan Environmental Tribunal within 30 days. BEP Act, sec. 30(1). All proceedings before the Tribunal shall be deemed to be judicial proceedings and "no other court shall have or exercise any jurisdiction with respect to any matter to which the jurisdiction of Balochistan Environmental Protection Tribunal extends under this Act, the rules and regulations made thereunder." BEP Act, sec. 29(9).

Project Monitoring: No**Enforceability of EIA:** No**Enforceability of Permit:** No

Province: Balochistan

Modified: October 25th, 2019

Source URL: <https://elaw.org/eialaw/pakistan-balochistan-province>

Links

[1] <https://elaw.org/countries-and-regions/pakistan>

[2] https://www.elaw.org/system/files/balochistan_environment_protection_act_2012-1.pdf