

GOVERNMENT OF KHYBER PAKHTUNKHWA
CLIMATE CHANGE, FORESTRY, ENVIRONMENT
AND WILDLIFE DEPARTMENT

NOTIFICATION

Peshawar, dated the **6/6/2025**.

No. SO(ENVT)CCFE&WD/1-5/2025/Sealing or Seizing Rules/2025--In exercise of the powers conferred by section 31 of the Khyber Pakhtunkhwa Environmental Protection Act, 2014, (Khyber Pakhtunkhwa Environmental Protection Act No .XXXVIII of 2014) read with clause (vii) of Section 7 thereof, the Government of Khyber Pakhtunkhwa is pleased to make the following rules, namely:

THE KHYBER PAKHTUNKHWA ENVIRONMENTAL PROTECTION
SEALING OR SEIZING RULES, 2025.

1. **Short title and commencement...** (1) These Rules may be called the Khyber Pakhtunkhwa Environmental Protection sealing or seizing Rules 2025.
 - (2) These Rules shall come into force at once.
2. **Definitions...** (1) In these Rules, unless there is anything repugnant in the subject or context, the following expressions shall have the meanings as are respectively assigned to them , that is to say ,
 - (a) **“Act”** means Khyber Pakhtunkhwa Environmental Protection (amended) Act, 2014 (Khyber Pakhtunkhwa Act No. XXVIII of 2014).
 - (b) **“Appendix”** means appendix appended to these rules.
 - (c) **“Authorized officer”** means the officers of the Agency authorized by the Director General for the purpose of these rules.
 - (d) **“De-sealing or de-seizing”** means the operation or activity in premises , allowed after compliance of the provision of the Act and these rules;
 - (e) **“Director General”** means the Director-General of the Environment Protection Agency;
 - (f) **“premises”** means the building, property or an attachment near such machinery, equipment or material are installed , which are responsible or involved in the commission of pollution offence;
 - (g) **“Pollution offence”** means an illegal act, which causes harm or risk to the environment by contamination air , water or land;
- and
- (h) **“Sealing or Seizing”** means the operation or activity in a premises stopped under the Act and these rules.

(2) Words and expression, used but not defined in these rules, shall have the same meanings as are respectively assigned to them in the Act.

3. Sealing or seizing the premises. (1) The Director General, may on his own or through an authorized officer, order to seal or seize the premises where the pollution offence has been occurred or is occurring or is likely to be occurred.

(2) The Director General or an authorized officer may provide an opportunity of personal hearing to the person responsible for such pollution offence, as specified in sub-section (1) of Section 17 of the Act, before sealing or seizing the premises.

Provided that the Director General or an authorized officer may, where for reasons to be recorded that prima facie case of pollution offence is made out, seal or seize the premises without giving any opportunity of personal hearing, in terms of sub-section (4) of Section 17 of the Act.

4. Possession of premises: The authorized officer may take into possession the premises, which involved in commission of pollution offence, in writing, and in the presence of at least two eye witnesses with their signatures on the documents, a copy of which shall also be handed over to the owner, co-owner of the premises or his employee, as the case may be, present in the premises.

5. De-sealing or de-seizing of premises: The Director General may, on his own or through an authorized officer, order, in writing, to de-seal or de-seize the premises upon an application for de-sealing or de-seizing by the person, in whose custody such premises is or the owner, co-owner of the premises or his employee, duly supported by an undertaking in the form set out in the Appendix, to remove or control the pollution immediately.

Provided that upon De-sealing or de-seizing, a report shall be submitted by the owner, co-owner of the premises or his employee, regarding removal or control of pollution, within seven (07) days, followed by visit of an authorized officer.

Provided further that if the seal has been opened or tempered by the owner, co-owner of the premises or his employee, the Director General or the Authorized officer, as the case may be, may proceed against such owner, co-owner of the premises or his employee under sub section (3) of section 17 of the Act.

6. Re-sealing or re-seizing of Premises: Where the Director General has reasons to believe that the pollution offence has been occurred or is occurring or is likely to be occurred, he may, on his own or through an authorized officer, re-seal or re-seize the premises.

Provided that if the owner, co-owner of the premises or his employee, found responsible for pollution offence for third time, the Director General or authorized officer may initiate the process of cancellation of the environmental approval.

APPENDIX

[see Rule 5]

Undertaking

I, _____ acknowledge that our industry/unit has been reported/found to be in violation of the Khyber Pakhtunkhwa Environmental Protection Act, 2014 and was Sealed according to Sealing and Seizing Rules 2025.

2. I undertake to take immediate corrective actions to remove the existing pollution and prevent future pollution
3. I shall install/upgrade pollution control devices/equipment within
4. I shall comply with all environmental laws, rules, and regulations, including.....
5. I shall submit compliance report within
6. I shall allow regular inspections and monitoring by.....

DECLARATION

I, hereby, declare that the information provided above is true and correct and nothing has been kept concealed therein.

Signature _____

Name _____

1. Witness

Signature _____

Name _____

2. Witness

Signature _____

Name _____

-sd-

**Secretary to Government of Khyber Pakhtunkhwa
Climate Change, Forestry, Environment & Wildlife
Department**

No. SO(ENVT)/CCFE&WD/1-19/Lab Rules/2025:

Copy for information to;

1. PS to Secretary Climate Change, Forestry, Environment & Wildlife Department, Khyber Pakhtunkhwa

**Muhammad Ishaq
Section Officer (Environment)**