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## **Environmental Protection Agencies in Pakistan: Powers, Performance, and Legal Constraints**

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### **ABSTRACT**

The heart of institutional mechanism of implementing and enforcing of environmental law in Pakistan is the Environmental Protection Agencies (EPAs). The EPAs were initially formed under the Pakistan Environmental Protection Act, 1997 and later reconstituted on provincial basis in the wake of the constitution devolution in which they have extensive regulatory, monitoring and enforcement authority in order to avert environmental degradation and to make sure everyone conforms to the environmental standards. Nevertheless, with this officially strong mandate, environmental performance in Pakistan still indicates a lack of control in the regulation sphere, which puts the issue of the real performance of the EPAs and legal and institutional restraints within the limits of which they should work in critical perspective. This paper will look at the authorities of Environmental Protection Agencies in Pakistan, appraise their performance at the applied level as well as the legal, administrative and structural limitations which hinder the effectiveness of these agencies. It states that, in practice, the institutional capacity of EPAs to exercise paper power (such as inspection, standard-setting, approval and enforcement) is compromised by institutional inadequacy, overlapping mandates, political interference and procedural limitations inherent in the very legal structure. The paper also draws attention to the extent to which post-devolution fragmentation has exacerbated the disparity in enforcement among provinces as well as undermined coordination and thus lowered regulatory consistency and credibility. Combining the legal and governance and performance evaluation, this paper shows that to empower environmental regulation in Pakistan, it is necessary not only to increase the EPA authority but also to change the circumstances that the said authority operates in such as accountability mechanisms, resource distribution, and legal transparency. It is concluded in the article that the only way that EPAs can be effective guardians of environmental protection is through the legal authority to be accompanied by institutional autonomy, technical capacity, and enforceable accountability.

**Keywords:** Environmental Protection Agencies; Pakistan Environmental Protection Act 1997; Environmental governance; Regulatory enforcement; Provincial EPAs; Devolution; Institutional capacity; Legal constraints; Environmental compliance; Administrative law.



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### Introduction

The main institutions in the architecture of environmental governance in Pakistan are the Environmental Protection Agencies which play a central role in converting the environmental laws, policies and standards into the actual regulatory products. Since the inception of the institutionalization of environmental regulation in 1990s, EPAs have been tasked with the role of balancing the environment protection with the development imperatives in a nation where the rapid population increase, industrialization, urbanization and growing ecological pressures are the order of the day. They play a role in their various departments such as pollution control, assessing environmental impact, and in monitoring the industrial and municipal discharges, enforcing environmental quality standards, and coordination with other governmental organizations. Ideally, EPAs are meant to operate as technologically proficient and administratively independent regulators with the ability to prevent environmental damage before it takes place and also respond efficiently whenever transgressions are committed. However, in reality, the continuous decline of the air, water, and land quality within the Pakistani territory raises serious doubts whether these agencies can actually perform their duties efficiently.<sup>1</sup>

Pakistan Environmental Protection Agencies have their legal basis on the Pakistan Environmental Protection Act, 1997 which established the federal Pakistan Environmental Protection Agency and gave authority to the formation of provincial EPAs. This model aimed at putting environmental regulation in the center stage of special institutions because it was realized that environmental protection needed technical skills, continuity of regulation and enforcement power as opposed to development sector agencies. As time passed on, the work of EPA also broadened their functions to conduct the environmental impact assessments, establishment and enforcement of national and provincial environmental quality criteria, and commencing court proceedings against pollutants. With the 18th Constitutional Amendment though this institutional environment changed greatly by devolving the environmental powers to provinces with the reconstitution of EPAs to more or less provincial organizations that operate under different legal regimes. Although devolution was meant to improve on responsiveness and responsibility, it has also brought in new issues regarding coordination, consistency and capacity.<sup>2</sup>

The effectiveness of EPAs in Pakistan is then to be interpreted in the framework of a complicated governance environment defined by legal requirements, administrative cultures, and political facts. Environmental regulation functions within a context in which the development goals tend to be of more political importance than the environmental concerns, and in which the regulatory bodies may be explicit or implicitly pressured to serve the interests of the strong industrial, infrastructure or energy interests. Boards often have to control other state institutions on the activities they do or their support, making them structurally vulnerable to the hierarchies of bureaucracies. This power imbalance may constrain the willingness or capacity of EPAs to act decisively on the enforcement powers especially when dealing with large business projects or those of strategic importance.<sup>3</sup>

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<sup>1</sup> Lau, M. (2018). The role of environmental tribunals in Pakistan: Challenges and Prospects. *YB Islamic & Middle EL*, 20, 1.

<sup>2</sup> Khan, M., Chaudhry, M. N., Ahmad, S. R., Saif, S., & Mehmood, A. (2020). Performance of EIA authority and effectiveness of EIA system in Pakistan. *Environmental Impact Assessment Review*, 81, 106357.

<sup>3</sup> Paul, Z. (2024). Reality of Local Government Reforms:: Case of Environmental Protection Agencies in Pakistan. *International Journal of Academic Research for Humanities*, 4(3), 240-250.



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The performance of EPA is further influenced by legal restrictions that are entrenched in environmental laws. Although the legislation grants the Office of Health and Safety extensive inspection, standard-setting and enforcement authority, it also places procedural and evidentiary demands that may slack or undermine the regulatory activity. An example is the implementation which usually relies on formal notices, compliance periods, and judicial proceedings which can be long and unpredictable. Moreover, fines that are stipulated in environmental regulations may not be deterrent enough especially against huge corporate entities and diminish the compliance incentive. A combination of these legal and procedural limitations is that it continues to convert EPAs into reactive regulators, who are better at processing approvals and responding to complaints than taking actions to prevent environmental destruction.<sup>4</sup>

This paper will analyze Environmental Protection Agencies in Pakistan in three dimensional analytical context: what the statutes enable them to do, how they are working in the field and what legal and institutional limitations hinder their performance. Placing the EPA performance in the context of the administrative law, federalism, and political economy, the article aims to get past the simplistic explanations of regulatory failure and to determine the structural factors that influence the enforcement outcomes. The succeeding paragraphs examine the available literature on environmental regulation, and institutional performance in Pakistan, introduce the methodological approach taken in this research, provide the results of EPA authority and enforcement practice and provide recommendations that may help in strengthening environmental regulation by matching legal capabilities to the institutional capacity and accountability.

### Literature Review

Literature on Environmental Protection Agencies in Pakistan indicates a wide agreement that the core of effective environmental control is institutional weakness and not the lack of legal authority. The initial academic literature that studied the development of environmental governance in Pakistan was concerned with the formation of EPAs as an important institutional innovation by pointing out that the formation of specialized regulatory institutions was a shift toward ad hoc and sector-based environmental management. These papers focused on the fact that the Pakistan Environmental Protection Act, 1997 gave EPAs a relatively robust statutory framework, such as the ability to establish standards, make inspections and take the enforcement process. Nevertheless, at this initial stage, the scholars warned that the success of these powers would be limited by administrative capacity, political support and judicial responsiveness, which were not evenly distributed nationally.<sup>5</sup>

As the process of environmental degradation deepened in the following decades, the literature body began to become more critical of the performance of regulators, rather than presenting descriptions of the institutions design. Researchers who studied air and water pollution control, hazardous waste management, industrial compliance and control reported lame enforcement results despite the fact that regulatory standards had been established. One of the common themes in this literature is that EPAs are characterized as approval-oriented and not enforcing institutions. The researchers noted that EPAs allocate an unequal amount of their resources to the processing of environmental impact assessments, the issuance of no-objection certificates, and the work with the

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<sup>4</sup> Sial, S. A., Zaidi, S. M. A., & Taimour, S. (2018). *Review of existing environmental laws and regulations in Pakistan*. Punjab, Pakistan: WWF-Pakistan.

<sup>5</sup> Nadeem, O., & Hameed, R. (2008). Evaluation of environmental impact assessment system in Pakistan. *Environmental Impact Assessment Review*, 28(8), 562-571.



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administrative demands, which means that there is little room to perform regular inspections and compliance checks. Such patterns, according to this literature, are indicative of structural incentives in environmental regulation, in which administrative outputs that are more visible get prioritized over those that are less visible, but have more significant impacts.<sup>6</sup>

Another major body of literature focuses on how EPAs and the system of administration and politics in which they exist are related. The research that is based on the political economic analysis states that EPAs do not always have the institutional independence that is necessary to effectively regulate the strong public and private actors. Environmental policies are commonly placed further down the bureaucratic lines than the departments which are developmental in nature and often rely on the same departments to provide them with budget, staffing, or political support. This dependence establishes what researchers term as regulatory asymmetry where the EPAs have the formal power to regulate but have no muscle to do so on a regular basis. The cases presented in the literature, which show why enforcement actions against large industrial or infrastructure projects have been postponed, weakened, or discarded because of politics or inter-agency influence, strengthen the impressions of selective or token enforcement.<sup>7</sup>

Dissolution of environmental powers through the 18th Constitutional Amendment has generated a literature of increasing literature devoted to provincial EPAs and fragmentation of regulation. Although there are those analysts who consider devolution to have created a chance to have context-based regulation, empirical research mostly highlights the unequal ability of provincial EPAs and the subsequent inequalities in enforcement. A study of provincial environmental authorities observes that there is a wide disparity in the number of staff, technical capability, monitoring facilities, and enforcement activity. Such disparities amount to the unequal implementation of environmental regulations and cause a regulatory vacuum to communities and the regulated subjects. It is also observed in the literature that there is a failure in coordination between federal and provincial institutions especially in transboundary pollution, national standards setting and sharing of data, which further undermines the overall success of the environmental regulation.<sup>8</sup>

EPAs in Pakistan have been the subject of legal studies on the conflict between general statutory powers and procedural limitations inherent in environmental law. Analysts observe that although EPAs have the authority to make notices, to impose penalties and to initiate prosecutions, enforcement procedures are often fraught with lengthy procedural considerations and judicial scrutiny. Courts are essential in enforcing the environment, but the problems of delays and lack of technical expertise as well as the lack of uniform jurisprudence can erode effective regulatory intervention. Other scholars suggest that the use of criminal penalties as opposed to administrative penalties increases the burden of evidence and deters proactive enforcement. Others note the low-level of deterrence that statutory fines provide, which frequently are small enough to have no effect on the conduct of large industrial polluters.<sup>9</sup>

The other theme that is of critical importance in the literature is the issue of citizen involvement and civil society in enhancing the performance of EPA. Researchers claim

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<sup>6</sup> Hassan, J. (1996). Environmental law of Pakistan. *Glob. Envntl. L. Ann.*, 15.

<sup>7</sup> Khan, M., Chaudhry, M. N., & Saif, S. (2022). Benefits and drawbacks of EIA decentralisation in Pakistan. *Environmental Impact Assessment Review*, 97, 106882.

<sup>8</sup> Khayam, M. U., & Ahmad, I. (2020). Decentralization of environment in Pakistan: issues in governance. *Policy Perspectives*, 17(2), 101-116.

<sup>9</sup> Haider, A., Mathlouthi, N., & Ahmad, I. (2024). Beyond the books: real world challenges in implementing environmental laws in Pakistan. *Available at SSRN*.



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that in the situations when regulatory capacity is weak, citizen complaints, public interest litigation, and media scrutiny might serve as additional enforcement mechanisms. Nevertheless, research has also confirmed the wide range of availability of information, transparency, and responsiveness among EPAs limits the efficiency of control over society. In the situation where EPAs do not report on the monitoring data, enforcement efforts, the public loses trust and chances of collaborative governance. What the literature underlines is that the performance of the EPA cannot be measured outside of related accountability ecologies encompassing courts, legislatures, the civil society and the media.<sup>10</sup>

Environmental Protection Agencies in Pakistan have institutional ability but legal powers absence. Their work is predetermined by the inabilities of capacity, political pressures, cumbersome procedures, and disjointed systems of administration, especially in the post-devolution setup. Although there is disagreement among scholars on whether the current issue of reform should focus on legal amendment, institutional fortification, or political accountability, it has been widely acknowledged that effective execution of environmental regulation needs to be achieved by equaling the EPA power with resources, independence, and enforcement mechanisms that enable the execution of the power credibly. This is the conceptual and empirical basis behind the methodological and analytical approach taken in the subsequent sections of this paper.

### Methodology

The research paper is based on an integrated approach of qualitative research which involves the use of doctrinal legal study as an examination of powers, performance, and legal limits of Environmental Protection Agencies in Pakistan. The methodological rationale is based on the fact that the effectiveness of regulations cannot be measured exclusively based on the statutory requirements because the difference between the official powers and the actual implementation of the rules is usually determined by administrative culture, structural abilities, and political environment. In line with this, the paper does not simply consider EPAs as legal units but as functioning institutions of governance that exist in a complex regulatory and bureaucratic space. This synthesized method permits a subtle analysis of the way legal authorities are converted into regulation consequences and structural restrictions enter to restrict efficiency.

The initial element of the methodology is the doctrinal analysis of the environmental legal framework of Pakistan including special reference to Pakistan Environmental Protection Act, 1997 and provincial environmental protection laws enacted following the constitutional devolution. This discussion discusses the limits of EPA authorities in terms of standard-setting, inspection, monitoring, environmental impact assessment, enforcement and prosecution. It also examines the subsidiary rules, regulations and notifications which implement these powers, as environmental quality standards and EIA procedures. The doctrinal review is applied to the formal authority of EPAs, the legal instruments at their disposal to be used against environmental breaches and to determine whether the statutory framework is sufficiently clear, consistent and discretionary to react appropriately to the case of environmental violators. In this section, special focus is given to enforcement provisions, penalty structures, and procedure requirements which can enable or prevent timely regulatory action.

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<sup>10</sup> Khwaja, M. A. (2012). Environmental challenges and constraints to policy issues for sustainable industrial development in Pakistan. *Environment, Trade and Governance for Sustainable Development*.



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The second methodological element entails an institutional performance examination that is based on recorded steps and results of EPA practices. This will involve looking at official reports, audit findings, parliamentary records, judicial decisions, and reliable second hand researches that define the practice operation of EPAs. Instead of looking at individual instances, the analysis aims at finding out common trends in regulatory action, including the preference of approvals to inspections, dependence on complaint-based enforcement, and underutilization of punitive action. In this way, the study is able to evaluate performance trends by sector and province, which identifies strengths and weaknesses in the system and not isolated successes and failures. In places where possible, comparative observations between provincial EPAs are applied to demonstrate how variation in capacity, resources, and political support determine the results of enforcement.

A third methodological aspect looks into regulatory process and administrative law as the means of analyzing legal and administrative barriers in the methodology. This is in the form of an analysis of the impact that procedural requirements, the requirements of evidence, and appeal avenues have on EPA decision-making. The paper takes into account the contribution of courts in environmental law enforcement, and impacts of judicial review on the certainty of regulations and deterrence. It also looks at administrative internal restrictions including staffing policies, budgetary oversights and reporting lines that would restrict EPA autonomy. Placing EPAs into the larger system of administration, this part of the methodology emphasizes the way in which the law limits its interaction with the institutional structure to determine the influence of the law on the behavior of regulators.

In keeping with the style adopted with all the articles in this series, the methodology is also backed up by organized analytical tools to bring clarity and rigor. The relationship between the legal authority, the institutional capacity, and the outcomes of the enforcement is explained with the help of a conceptual framework that helps to structure the analysis and to interpret the findings. Moreover, where applicable, documented performance measures, including the number of checks, enforcement measures, or reported rates of compliance documented in the secondary sources are employed in order to support qualitative ratings. These tools are not a replacement of primary empirical data, but complement the analytical coherence of the study, by connecting the legal design with the patterns of governance that can be observed.

Lastly, the assessive criteria of this study spell out the definition of effective performance as the regulatory credibility, consistency, and impact as opposed to formal compliance. The effectiveness is measured by evaluating whether the EPAs can implement the environmental laws in a foreseeable manner, prevent breaches by effectively applying regulations, and help realize the quantifiable improvements in the quality of the environment. This is an evaluative framework that acknowledges that EPAs work within the real world limits, but that in the long term, it is necessary to have institutions which could exercise their legal authority freely, transparently and responsibly. The results obtained in the frames of such a methodological approach are the foundation of the next section where the systematic analysis of EPA powers and performance in practice and the identification of the major legal and institutional limitations influencing the environmental regulation in Pakistan are presented.

### **Research Findings**

The results of the research show that there is a great gap between the formal powers attributed to Environmental Protection Agencies in Pakistan and the real performance of



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these agencies as environmental regulators. Among the most remarkable findings is that EPAs have vast statutory powers in paper whereby they have powers of inspection, monitoring, issuing of notices, approving and revoking environmental clearances, and launching legal actions against the violators. These are powers as stipulated in Pakistan Environmental Protection Act, 1997 and provincial acts that grant EPAs arsenal of legal provisions that can be used to combat most forms of environmental harms. Nevertheless, the practical power to exercise these powers is unequally distributed and in many instances, restricted implying that legal power is not adequate on its own to promote effective environmental regulation.<sup>11</sup>

One of the main performance-related conclusions deals with the disproportion between prevention and policing capabilities. There is a significant amount of institutional energy taken by EPAs in preventive administrative activities, especially review and approval of Initial Environmental Examinations and Environmental Impact Assessments. Though the role is significant, it has over time taken over EPA activity activities leaving few resources in the post-approval monitoring and enforcement. Secondary report evidence and audit observations shows that routine inspections of industrial facilities, municipal facilities and infrastructure projects are not common and, in most cases, are reactive and based on complaints, as opposed to planning which is risk-based. Such a trend leads to the development of low compliance incentives, as the controlled parties find the threat of inspection and penalty to be low.<sup>12</sup>

**Table 1: Indicative Distribution of EPA Regulatory Activities**

Regulatory Function	Relative Institutional Focus
EIA/IEE review and approvals	High
Routine inspections	Low to Moderate
Compliance monitoring	Low
Enforcement actions (penalties/prosecution)	Very Low
Public reporting and disclosure	Low

The resultant policies also indicate that the actions aimed at enforcement, when they are taken, are often based on procedural notices and negotiated compliance as opposed to punitive sanctions. EPAs often make warning notices or compliance directions that give long-periods on corrective action. Although these practices might apply well in certain situations, overindulgence makes them less effective in deterring since the repetition of violations is not escalated into more forcing actions. The statutory punishments that are given as per the environmental laws are usually too small to change the action of the large industrial contaminants and criminal prosecution is hardly ever followed as a result of the congestion of the evidence, time wastage and uncertainty of the court results. Consequently, the enforcement practices would be more inclined to credibility in conflict avoidance rather than regulatory credibility.<sup>13</sup>

<sup>11</sup> Ali, Z., Khan, D., & Hussain, R. (2012). Adaptation measures in EIA and risks management: An overview of the legal framework in Pakistan. *TOJSAT*, 2(3), 1-11.

<sup>12</sup> Bassra, M. A. (2012). *Self-regulations in Pakistan in comparison with UK, EU and International environmental law* (Doctoral dissertation, Nottingham Trent University).

<sup>13</sup> Syed, F. Z., Awan, M. W., & Mumtaz, T. (2024). Environmental governance and policy implementation in Pakistan: Assessing Institutional capacities and challenges. *Journal of Development and Social Sciences*, 5(2), 407-419.



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The institutional capacity barriers turn out to be a powerful force determining the performance of the EPA. The results are that a large proportion of EPAs have small technical personnel compared to the intensity and volume of activities under regulation. There is a general lack or inadequacy of laboratories, monitoring devices, and data management systems, which limit the chances of agencies creating believable evidence of violations. There are also staffing shortages on geographic coverage especially in remote or fast industrializing a region where risks to the environment are high, but regulation is low. These restrictions not only restrict enforcement capacity but also the proactive planning, data analysis and policy feedback capabilities of the EPAs.<sup>14</sup>

This can be visualized, as in Figure 1 (illustrated below), which shows that there is a vacuum between the two statutory powers, "Legal Powers" and operational capacity, Operational Capability, which contributes to the conclusion that the puzzle of enforcement deficits is structural, not incidental.

The other important finding is associated with the difference in performance between the provinces after constitutional devolution. There is a significant difference in staffing, financial resources, political support, and administrative culture between provincial EPAs. Such deviations are manifested in the different enforcement results where some provinces have been shown to be characterized by relatively higher inspection and compliance activity when compared to others who are fairly approval-oriented. These differences are further increased by the absence of uniform performance standards and inter-provincial coordination mechanisms which not only erode the consistency of regulation but also create uncertainty among communities and regulated parties.<sup>15</sup>

**Table 2: Indicative Comparison of Provincial EPA Capacity and Performance**

Indicator	Province A	Province B	Province C
Technical staff strength	Moderate	Low	Very Low
Inspection frequency	Moderate	Low	Low
Enforcement actions	Limited	Rare	Rare
Public disclosure	Partial	Minimal	Minimal

Lastly, the results show that legal restrictions that lie within both environmental acts and the administrative system have a profound impact on EPA performance. The bureaucratic conditions of giving notices, hearings, prosecutions etc may slow down the process of regulations and deter the increases of enforcing them. Besides, EPAs usually do not have operational independence because there are budgetary restraints, personnel releases, and political checks by the superior administrative authorities. This decreases the desire of regulators to take decisive action against large players or government-supported projects and strengthens the image of favoritism.<sup>16</sup>

<sup>14</sup> Akbar, K. F. (2023). Decentralization of Environmental Governance in Pakistan and its Impact on Sustainable Development. *Policy Perspectives*, 20(1), 45-60.

<sup>15</sup> Hassan, P., & Azfar, A. (2003). Securing environmental rights through public interest litigation in South Asia. *Va. Env'tl. LJ*, 22, 215.

<sup>16</sup> Hussain, Z., Sultan, M. S., Sarwar, M. W., Hassan, M., & Ali, S. (2024). Public Interest Litigation in Pakistan Landmark Cases and Judicial Influence on Governance. *International Journal of Social Science Archives (IJSSA)*, 7(3).



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Combined, these results indicate that Environmental Protection Agencies within Pakistan do not lack formal power; what they face is structural, institutional and legal constraints that undermine the enforcement aspect of their functions. Another trend involves using EPA, which plays the role of an administrative gate keeper as opposed to being a strong regulator, and the implication of this is immense when it comes to environmental regulation and compliance. The findings form the basis of the further discussion which analyzes the interaction between the legal design, the institutional capacity, and the political context in terms of their effects on EPA performance and limitations to the achievement of the environmental protection goals.

### Discussion

This research paper has shown that the overall success of Environmental Protection Agencies in Pakistan is not limited by the lack of legal authority but a combination of limiting legal design, institutional inefficiencies and political-administrative realities that determine the nature of the application of regulatory power. As it has been discussed, EPAs are structurally weak players in the Pakistani system of governance, in which environmental regulation is formally accepted but practically subservient to decisions made in the developmental context. The result of this situation is a regulatory paradox, that is, although EPAs have a legal mandate to be protectors of environmental quality, their modus operandi is that of caution, selectivity, and administrative compliance, as opposed to regulatory enforcement. To comprehend this paradox, it is necessary to place EPA performance in general context of the administrative law, federalism and political economy.<sup>17</sup>

Among the most evident problems arising out of the discussion is the excessive legalization of the enforcement in conjunction with the lack of administrative discretion. Although the environmental statutes give the EPAs the authority to enforce law, this authority is usually enshrined within the procedural frameworks that put more emphasis on due process rather than the effectiveness of the regulations. The necessities of notices, hearings, evidentiary support, and judicial participation even though necessary to fairness may sharply impact the rate of regulation, and increase the enforcement expense of already resource-starved agencies. Practically, this is an incentive to EPAs to depend on softer forms of compliance like warnings and negotiated settlement, instead of going to the punishments. This procedural burden, according to the discussion, changes enforcement into a risk-averse and not preventative process, especially in situations where enforcers believe resistance by politically powerful forces.<sup>18</sup>

This enforcement inertia is further supported by the institutional capacity constraints. As demonstrated conceptually in Figure 1, the disconnect between the statutory authority and the working capability is not accidental but institutional. Poor staffing, ineffective monitoring infrastructure, and poor data systems diminish the credibility of the enforcement threats and limit the capability of the regulators to produce credible evidence of the violations. In the absence of the regular check systems and verifiable information, the enforcement decisions cannot be made legally and politically defensible. This is a feedback effect that an insufficient capacity of enforcement leads to weakening of incentives to invest in regulatory capacity, and weak incentives to invest in regulatory

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<sup>17</sup> Paul, Z. I., & Sial, M. A. (2022). Trends in Local Government Reforms: Case of Environmental Protection Authority. In *Public Sector Reforms in Pakistan: Hierarchies, Markets and Networks* (pp. 175-194). Cham: Springer International Publishing.

<sup>18</sup> Khan, M. Z., & Sadiq, M. F. (2023). Law Enforcement within Maritime Zones of Pakistan: Impediments, Opportunities and Way Forward. *The Beacon Journal*, 3(1).



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capacity lead to weakening of enforcement. It is pointed out that the lack of capacity is not a technical issue but a failure of governance which shows the lack of previous prioritization of environmental regulation in the allocation of resources by the general population.<sup>19</sup>

The additional layers of complexity of EPA performance are brought in by decentralization and devolution. Although provincial autonomy may help to make regulation more context-sensitive, the debate suggests that in Pakistan this has in many cases led to partial enforcement and patchy regulatory standards. The difference that is presented in Table 2 indicates that provincial EPAs will work under extremely different circumstances thus making the application of environmental laws unequal. This fragmentation compromises environmental protection as well as regulatory legitimacy because similar environmental risks are addressed differently based on the jurisdiction. Additionally, the lack of effective inter-provincial coordination measures prevents the capability of EPAs to deal with transboundary pollution and cumulative environmental effects, which are becoming more and more prominent in a densely populated and industrializing nation.<sup>20</sup>

Political economy of environmental regulation is also discussed, as there is a tendency to regulate more politically influential, richer, and institutional actors with EPAs. Large individual investors, development agencies and state-owned enterprises tend to have implicit protection based on their perceived significance to the economic growth, employment or energy security. When this happens, EPAs can either be pressured overtly or covertly to either tolerate non-compliance, or postpone enforcement. This dynamic undermines regulatory credibility and bolsters beliefs of selective implementing especially to the smaller firms and communities in the affected areas. It is argued in the discussion that there is a lack of institutional independence and political support to enable EPAs to operate as unbiased regulators who can enforce environmental law equally.<sup>21</sup>

The mechanisms of public accountability, although they could be strong enough, are not used in enhancing the performance of EPA. Even though the environmental laws allow a complaint to be vented out in the society and should have access to the courts, the lack of transparency and availability of data hinders proper societal control. It suggests in the discussion that more public reporting, disclosure of inspection results, and interacting with civil society may offset the weaknesses of institutions to some extent by raising reputational and political costs of non-compliance. Nevertheless, these mechanisms involve making EPAs have a more receptive and communicative regulatory stance, which can be unpopular in bureaucratic societies used to administrative secrecy.

Comprehensively, the discussion places the performance issues of the Environmental Protection Agencies in Pakistan in the context of more entrenched structural and legal limiters, and not individual or isolated failures. The governance culture of EPAs is characterized by a culture of procedural obedience rather than regulatory effectiveness, development rate rather than environmental protection and administrative control as opposed to institutional autonomy. To meet these challenges hence, we need systemic change that would set the design of the law, capacity of the institutions and the political

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<sup>19</sup> Hassan, P. (2007). The Role of the Judiciary and Judicial Commissions on Sustainable Development Issues in South Asia. *Envtl. Pol'y & L.*, 37, 185.

<sup>20</sup> Kotzé, L. J., Kotzé, L. J., & Paterson, A. R. (Eds.). (2009). *The role of the judiciary in environmental governance: comparative perspectives* (Vol. 4). Kluwer Law International BV.

<sup>21</sup> Idrees, M., Donatus, D., Ilyas, R., & Sattar, A. (2022). The Enforcement of Water Pollution Legislation in Pakistan. *J Indust Pollut Toxic*, 2(1), 101.



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incentives towards the aim of achieving credible and consistent enforcement of the environment. This analytical framing preconditions the following set of recommendations that aims at rebalancing the powers of EPA, enhancing the institutional environment, and eliminating legal and administrative obstacles into efficient environmental regulation.

### Recommendations

To increase the performance of Environmental Protection Agencies in Pakistan, a number of coordinated reforms must be applied to legal, institutional, and governance bottlenecks and ensure that these prerequisites are applied together as a single package, and not as individual issues. Among the key suggestions is the need to re-tune the legal system regarding the enforcement of EPA in a manner which would create a balance between the procedural fairness and regulation efficiency. As much as due process protection is vital, the environmental legislations must give more power to EPAs in terms of graduated administrative penalties that include variable fines, compliance orders with increasing fines and temporary suspension of operations in case of serious or repeat violations. Increasing the administrative enforcement mechanisms would decrease dependence on judicial processes that are lengthy and maximize deterrence especially where the destruction of the environment has been noted to be ongoing or irreversible.<sup>22</sup>

The process of institutional capacity building should not be a side-show but a fundamental reform. In order to exercise their powers in a credible way, EPA has to make long-term investments in technical staffing, monitoring infrastructure, laboratory facilities, and data management systems. The capacity building approach should not be confined to raising the numbers only but rather should include acquisition of specialized skills in fields like air quality modelling, industrial emissions surveillance, hazardous wastes management and environmental auditing. By creating special inspection and enforcement departments within EPAs with the help of risk-based planning, it would be possible to conduct more organized control over high-impact industries. There should be sufficient and consistent budgetary allocations to facilitate the fact that enforcement is not undermined by financial reliance on other administrative players.<sup>23</sup>

Another important recommendation is to increase the institutional autonomy and accountability. EPAs seek more autonomy in their administration and operations to make them less susceptible to politics, especially when it comes to enforcement decisions that may take place between a strong public or a powerful corporate entity. This may involve more explicit statutory safeguards over the decision-making process by the regulator, open parameters over enforcement action, and protection against arbitrary intrusion in staffing and budgetary. Simultaneously, autonomy should be coupled with accountability tools, including performance standards, legislative control and frequent public disclosure, to make the discretion of regulation used in responsive and consistent fashion.<sup>24</sup>

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<sup>22</sup> Shah, N., & Soomro, B. A. (2021). Internal green integration and environmental performance: The predictive power of proactive environmental strategy, greening the supplier, and environmental collaboration with the supplier. *Business Strategy and the Environment*, 30(2), 1333-1344.

<sup>23</sup> Pellegrini, L. (2011). The rule of the jungle in Pakistan: A case study on corruption and forest management in Swat. In *Corruption, Development and the Environment* (pp. 121-147). Dordrecht: Springer Netherlands.

<sup>24</sup> Javeed, S. A., & Lefen, L. (2019). An analysis of corporate social responsibility and firm performance with moderating effects of CEO power and ownership structure: A case study of the manufacturing sector of Pakistan. *Sustainability*, 11(1), 248.



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In a post-devolution governance environment, there is a need to better coordinate federal and provincial level of coordination. Introduction of national minimum standards of environmental practices and inter provincial forums of coordination would contribute towards alignment of the practices of regulations and elimination of the differences underscored in Table 2. Informational platforms, mutual training, and common inspections of projects with transboundary effects might benefit collective regulatory capacity without interfering with provincial independence. These mechanisms would enhance the capacity of EPAs as well to deal with cumulative environmental effects that transcend administrative boundaries.<sup>25</sup>

The participation and transparency of the populace must become part of the EPA reform. The proactive disclosure policies ought to be employed by EPAs as part of publicizing the monitoring data, inspection results, and enforcement measures in formats that are accessible to non-professionals. Such transparency would allow civil society, concerned communities and media to serve as additional accountability measures that raise the reputational cost of not complying. Regulatory legitimacy and effectiveness would be improved further with formal mechanisms through which people should be able to voice their complaints and have their views incorporated in enforcement priorities.<sup>26</sup>

Lastly, a reorganization of environmental regulation in the wider context of development in Pakistan is required. The environmental protection must be introduced as something that should not hinder the growth, but as the precondition of the sustainable and socially acceptable development. This reframing needs the involvement of political leadership, inter-agency cooperation and regular enforcement that conveys seriousness of regulation. With a combination of legal authority and institutional capacity, autonomy, and accountability, the Environmental Protection Agencies can leave their present administrative position behind and become efficient custodians of the quality of the environment. These proposals give a realistic route towards the enhancement of environmental governance because they empower EPAs to implement their statutory mandate in a manner that would generate real environmental benefits.

### Conclusion

This paper has discussed Environmental Protection Agencies in Pakistan by looking at their statutory authority, scrutinized their performance in action and also determined the legal and institutional barriers that determine their efficiency in regulation. The analysis shows that the EPAs of Pakistan are not feeble due to the lack of legal power, but they are limited through the circumstances in which such power is utilized. The environmental laws give the EPAs a wide mandate of controlling the pollution, monitoring of the environmental impact assessment, inspection and enforcement, but are subjected to filters of procedure provision, capacity constraints and political-administrative dynamics that considerably diffuse their effective application. Because of this, EPAs have taken on a more of an administrative clearinghouse rather than being a strong enforcement agency that can discourage the destruction of the environment.

One of the core findings of the present research is that the discrepancy between law and enforcement represents the failure of structural governance, as opposed to specific

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<sup>25</sup> Sanchez-Triana, E., Biller, D., Nabi, I., Ortolano, L., Dezfuli, G., Afzal, J., & Enriquez, S. (2014). *Revitalizing industrial growth in Pakistan: Trade, infrastructure, and environmental performance*. World Bank Publications.

<sup>26</sup> Kalyar, M. N., Shoukat, A., & Shafique, I. (2020). Enhancing firms' environmental performance and financial performance through green supply chain management practices and institutional pressures. *Sustainability Accounting, Management and Policy Journal*, 11(2), 451-476.



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institutional weaknesses. Poor monitoring frameworks, technical and financial limitation, and institutional autonomy reduce the credibility of the regulatory action and diminishes proactive enforcement. The overriding nature of approval-oriented functions and especially the EIA processing makes attention and resources to be channeled away the post-approval monitoring and compliance and enables the violations with less punishment. Legal and procedural limitations on environmental laws, as well as the existence of small fines and the use of the judicial system, also contribute to the risk-averse enforcement culture, and deterrence to big and highly political polluters.

Performance of EPA is also complicated by the post-devolution governance structure. Although the provincial autonomy has provided an opportunity to have context sensitive regulation, it has also led to unequal enforcement facilities and disjointed regulatory activities among provinces. Without effective coordination regulations and national minimum performance criteria, environmental protection results differ greatly depending on jurisdiction, which weakens the consistency of regulation and confidence in the government. These differences underline the inadequacy of the decentralization process without the support of the institutional reinforcement and collaborative governance structures.

Accountability and transparency in enhancing environmental control is also emphasized in the article. In places where EPAs have very little public disclosure and very poor interactions with civil societies, the lack of enforcement would be mostly undetected and politically insignificant. On the other hand, increased transparency, involvement of the public and scrutiny of the legislation can lead to higher regulatory legitimacy and to some extent counter the institutional restraint imposed by making the political and reputational cost of non-conformity more expensive. Good environmental governance is consequently not merely a matter of empowered regulators, but also of conducive accountability ecosystems, which reinforce enforcement incentives.

To sum up, to reinforce the Environmental Protection Agencies in Pakistan, there is a need to change the focus on widening legal mandates to a more comprehensive reform agenda that is consistent with capacity, independence, and accountability. Small but specific reforms, including strengthening administrative mechanisms, investing in technical capacity, improving inter-provincial coordination and institutionalizing transparency, can significantly improve the regulatory performance in the current legal framework. Unless these reforms are made, EPAs will continue to be structurally handicapped organisations that cannot convert their statutory mandates into viable environmental protection. Along with them though, EPAs will be able to become viable and effective regulators that will be able to protect the quality of the environment as developmental and ecological demands continue to mount pressure on Pakistan.

### References:

- Akbar, K. F. (2023). Decentralization of Environmental Governance in Pakistan and its Impact on Sustainable Development. *Policy Perspectives*, 20(1), 45-60.
- Akber, M. Z., Thaheem, M. J., & Arshad, H. (2017). Life cycle sustainability assessment of electricity generation in Pakistan: Policy regime for a sustainable energy mix. *Energy Policy*, 111, 111-126.
- Ali, Z., Khan, D., & Hussain, R. (2012). Adaptation measures in EIA and risks management: An overview of the legal framework in Pakistan. *TOJSAT*, 2(3), 1-11.
- Aslam, R. (2022). Role of formal and informal institutions in advancing sustainable environmental practices in SMEs of Pakistan's textile sector. *Open University*



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(United Kingdom).

Bassra, M. A. (2012). Self-regulations in Pakistan in comparison with UK, EU and International environmental law (Doctoral dissertation, Nottingham Trent University).

Haider, A., Mathlouthi, N., & Ahmad, I. (2024). Beyond the books: real world challenges in implementing environmental laws in Pakistan. Available at SSRN.

Hassan, J. (1996). Environmental law of Pakistan. *Glob. EIntl. L. Ann.*, 15.

Hassan, M. Y., Qureshi, H., Ahmad, M. F., Alam, K., Tayyab, M., & ul Islam, M. (2022). Implementation Strategies of Environmental Security of Pakistan.

Hassan, P. (2007). The Role of the Judiciary and Judicial Commissions on Sustainable Development Issues in South Asia. *Envtl. Pol'y & L.*, 37, 185.

Hassan, P., & Azfar, A. (2003). Securing environmental rights through public interest litigation in South Asia. *Va. EIntl. LJ*, 22, 215.

Hussain, Z., Sultan, M. S., Sarwar, M. W., Hassan, M., & Ali, S. (2024). Public Interest Litigation in Pakistan Landmark Cases and Judicial Influence on Governance. *International Journal of Social Science Archives (IJSSA)*, 7(3).

Idrees, M., Donatus, D., Ilyas, R., & Sattar, A. (2022). The Enforcement of Water Pollution Legislation in Pakistan. *J Indust Pollut Toxic*, 2(1), 101.

Javeed, S. A., & Lefen, L. (2019). An analysis of corporate social responsibility and firm performance with moderating effects of CEO power and ownership structure: A case study of the manufacturing sector of Pakistan. *Sustainability*, 11(1), 248.

Kalyar, M. N., Shoukat, A., & Shafique, I. (2020). Enhancing firms' environmental performance and financial performance through green supply chain management practices and institutional pressures. *Sustainability Accounting, Management and Policy Journal*, 11(2), 451-476.

Khan, M. Z., & Sadiq, M. F. (2023). Law Enforcement within Maritime Zones of Pakistan: Impediments, Opportunities and Way Forward. *The Beacon Journal*, 3(1).

Khan, M., Chaudhry, M. N., & Saif, S. (2022). Benefits and drawbacks of EIA decentralisation in Pakistan. *Environmental Impact Assessment Review*, 97, 106882.

Khan, M., Chaudhry, M. N., Ahmad, S. R., Saif, S., & Mehmood, A. (2020). Performance of EIA authority and effectiveness of EIA system in Pakistan. *Environmental Impact Assessment Review*, 81, 106357.

Khayam, M. U., & Ahmad, I. (2020). Decentralization of environment in Pakistan: issues in governance. *Policy Perspectives*, 17(2), 101-116.

Khwaja, M. A. (2012). Environmental challenges and constraints to policy issues for sustainable industrial development in Pakistan. *Environment, Trade and Governance for Sustainable Development*.

Kotzé, L. J., Kotzé, L. J., & Paterson, A. R. (Eds.). (2009). The role of the judiciary in environmental governance: comparative perspectives (Vol. 4). Kluwer Law International BV.

Lau, M. (2018). The role of environmental tribunals in Pakistan: Challenges and Prospects. *YB Islamic & Middle EL*, 20, 1.

Nadeem, O., & Hameed, R. (2008). Evaluation of environmental impact assessment system in Pakistan. *Environmental Impact Assessment Review*, 28(8), 562-571.

Paul, Z. (2024). Reality of Local Government Reforms:: Case of Environmental Protection Agencies in Pakistan. *International" Journal of Academic Research for*



## Vol. 3 No. 8 (August) (2025)

Humanities", 4(3), 240-250.

- Paul, Z. I., & Sial, M. A. (2022). Trends in Local Government Reforms: Case of Environmental Protection Authority. In *Public Sector Reforms in Pakistan: Hierarchies, Markets and Networks* (pp. 175-194). Cham: Springer International Publishing.
- Pellegrini, L. (2011). The rule of the jungle in Pakistan: A case study on corruption and forest management in Swat. In *Corruption, Development and the Environment* (pp. 121-147). Dordrecht: Springer Netherlands.
- Saleem, U. (2024). Protecting the Right to Environment: The Roles of Judicial Commissions and Special Masters. *Env't L. Rep.*, 54, 11058.
- Sanchez-Triana, E., Biller, D., Nabi, I., Ortolano, L., Dezfuli, G., Afzal, J., & Enriquez, S. (2014). Revitalizing industrial growth in Pakistan: Trade, infrastructure, and environmental performance. World Bank Publications.
- Shah, N., & Soomro, B. A. (2021). Internal green integration and environmental performance: The predictive power of proactive environmental strategy, greening the supplier, and environmental collaboration with the supplier. *Business Strategy and the Environment*, 30(2), 1333-1344.
- Sial, S. A., Zaidi, S. M. A., & Taimour, S. (2018). Review of existing environmental laws and regulations in Pakistan. Punjab, Pakistan: WWF-Pakistan.
- Syed, F. Z., Awan, M. W., & Mumtaz, T. (2024). Environmental governance and policy implementation in Pakistan: Assessing Institutional capacities and challenges. *Journal of Development and Social Sciences*, 5(2), 407-419.
- Zuberi, M. J. S., & Ali, S. F. (2015). Greenhouse effect reduction by recovering energy from waste landfills in Pakistan. *Renewable and Sustainable Energy Reviews*, 44, 117-131.