



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



TO WHOM IT MAY CONCERN

Subject: COMPLIANCE OF THE ORDER DATED 24-06-2021 IN WRIT PETITION NO. 227807/2018 TITLED HAROON FAROOQ VS G.O.P ETC. BY HIS LORDSHIP MR. JUSTICE SHAHID KARIM OF THE LAHORE HIGH COURT LAHORE FOR PRESENTING A REPORT REGARDING THE STEPS TAKEN AND RESULTS ACHIEVED FOR THE PURPOSE OF CONTROLLING RAPID DEPLETION OF GROUND WATER OF LAHORE.

The order dated **24.06.2021** passed by the Honorable Lahore High Court in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“This is an application by which the Chairman Judicial Water and Environmental Commission has placed a report prepared by Directorate of Hydrology, WASA to depict the water level of Lahore which was lastly 50.150 meters in 2018 and since then till 2020 it is at 50 meters which plainly shows that there has been no further depletion of groundwater. This remarkable feat has been achieved by the brilliant efforts put together by the Commission appointed by this Court on 15.02.2019. Further, In the application, it has been mentioned that the Prime Minister of Pakistan in his statement issued on 21.02.2021 has conferred compliments on the Govt. of the Punjab for taking steps which have resulted in further depletion of groundwater level of Lahore. This order is being made to put the record straight so that true facts are brought to the notice of Prime Minister by the learned Addl. Attorney General for Pakistan who is present on Court's call. This litigation was commenced as a public interest litigation on 03.08.2018 primarily with the aim to conserve groundwater level of Lahore. It has gradually morphed into a petition for the conservation of ecosystem as well. As stated above, a Water and Environmental Commission was appointed by this Court and Mr. Justice (Retd.) Ali Akbar Qureshi was tasked with the execution of the directions issued by this Court precisely to fulfill the goal of water conservation as well as to undertake short term measures so that further depletion could be sustained. As adumbrated, remarkable efforts have been set in motion since the time when the Commission was appointed and the entire set of steps which the Prime Minister has brought forth in his statement are in fact the result of directions issued by this Court and which consequently translated into the present report filed by WASA. This litigation is an ongoing and continuing mandamus and on each weekly date of hearing report is filed by the Water Commission and necessary directions are issued for the implementation



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



of which the Water Commission springs into action. The first important direction was with regard to the use of plastic bags. Gradually and over a period of time the use of plastic bags in Lahore has been replaced by use of biodegradable bags and Lahore is now rid of the use of plastic bags to a substantial extent. Unfortunately, this effort could not be replicated in the rest of Punjab. Secondly, through a consistent and concerted effort, the entire brick-kilns of Punjab have now been converted to a modern zigzag technology and their operations no more pollutes to the environment. This is a huge step for lowering the pollutants in the ecosystem of Punjab. Thereafter, this Court embarked upon a project to construct ablution water tanks with the mosques in Lahore. More than 350 ablution tanks have so far been constructed of which the biggest has been constructed at Data Darbar, Lahore which contributes to the saving of enormous amount of fresh water daily. The amount of water which accumulates in the water tank at Data Darbar is then taken out by the tankers of PHA and different parks of Lahore are supplied water for their plants and horticulture. Towards the same end, by directions of this Court, the service stations of Lahore have been compelled to install recycling plants so that water used to service cars etc. does not go waste and is recycled to be used again. Likewise, large industry in and around Lahore has been required to install treatment plants as previously untreated waste from these industries was being injected into the aquifer of Lahore resulting in fresh groundwater to be polluted with chemicals etc. For the first time in Lahore WASH was required to construct a rain water tank at Lawrence Garden, Lahore for the storage of rain water during the months of Monsoon season. That water tank has now been completed and is a huge source to replenish groundwater level. On each step of the construction of these projects this Court had to issue directions as the funds were not released on time. A complete pictorial has been prepared by WASA which was presented to the President of Pakistan by the Water Commission as well as to the Chief Minister Punjab who acknowledged the services rendered by the Water Commission and which have now borne fruit in the form of a report filed by WASA regarding groundwater depletion. For the first time, the sugar mills of Punjab have been required by an order of this Court to install treatment plants so that untreated waste does not enter the groundwater. These and many other steps which are ongoing clearly show that this social action petition has yielded tremendous results and was a huge success. Thus the credit must lie where it belongs and it is hoped that the Prime Minister will duly acknowledge the efforts put in by the Commission and takes steps in his discretion to replicate these steps not only throughout Punjab but also throughout Pakistan. This will be a great service to the future generations to whom we owe a debt. Lastly, I must acknowledge that although the directions were issued by this Court yet the Govt. of the Punjab ended its full support in the execution of the directions of this Court. The learned Addl. Attorney General for Pakistan has been asked to place this order as well as the previous orders



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



duly highlighted and the booklet prepared by WASA with the Principal Secretary to the Prime Minister who shall in turn place before the Prime Minister for his perusal.”

Copy of the order is Annexure as Annexure A.

Following are the steps initiated by his Lordship Mr. Justice Shahid Karim of the Lahore High Court Lahore and implemented by the Judicial Water and Environment Commission Headed by Mr. Justice (Retd.) Ali Akbar Qureshi Chairman of the Commission.

Waste water Sewerage/Treatment Plant:

The Commission ensured the installation of **73 large and medium scale treatment plants at Sundar and Quaid-e-Azam Industrial estate**. Furthermore, the Commission ensured stoppage of **400 industrial units which were injecting waste water and sewerage waste directly into the aquifer through soaking pits causing severe contamination of groundwater**. That recently action has been taken against **46 Sugar industries** which have being directed by the Commission to install waste water treatment plants and the process of installation is ongoing.

The Honorable Court’s Orders in Sequence with operating parts are reproduced as follows:

1. The order dated **05.09.2019** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“A report has been filed by the Chairman Water Commission Lahore which delineates the various steps taken by the Water Commission pursuant to the directions issued by this Court. A summary of the steps which have been taken is as follows:

1. That the quality of ground water is constantly being contaminated by Soaking Pits which is an unregulated undefined method of disposal and has not been covered under the Punjab Environmental Protection Act, 1997. Soaking Pit is a recognized method of contamination internationally.
2. That the EPA provided a list of 223 industries located at Multan Road Lahore Injecting Waster Water into Sub Soil water /discharge of Liquid effluent without treatment the list has been annexed along will the main report.
3. The factories /industrial units/housing society's generally non-compliant with the PEQS Punjab Environmental Quality Standards for Municipal and Liquid industrial effluents as per Notification (120 of 2016) which clearly defines the



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



parameters that require a particular chemical ingredient or containment to be treated.

4. By virtue of the 41 reports and surveys conducted by the focal person appointed on behalf of the Water Commission the Water Commission issued notices to the same and out of 41 industrial units 18 have tendered their affidavit to the following effect:

- a. That they will Immediately stop infection of Waste Water /Sewage Waste into Soakage pits.
- b. That incase of Waste Water discharge, immediate installation Waste water treatment plants.
- c. That incase of Sewage Waste discharge, immediate installation waste water treatment plant and septic tanks.

5. That the Water Commission under the auspices of this honorable court had issued directions to the aforementioned industrial units by virtue of the order dated 29.9.2018 passed in W.P No.231266/2018 by the Lahore high Court Lahore for Installation of Waste Water Treatment Plants.

2. The steps taken by the Water Commission and the supporting staff are commendatory and would go a long way in ensuring that the future generations of Lahore avail the benefits of clean groundwater and sustainability so that the levels of groundwater can be properly maintained. The learned counsel for Water Commission has taken this Court to the report of Sustainable Development published in the Journal of Pollution Effects and Control which refers to the current situation of Aqueous Arsenic contamination in Pakistan focused on the Provinces of Sindh and Punjab. It also dilates upon the impact of Soaking pits on groundwater table. The following observations are pertinent and are reproduced for reference:

"Punjab province. both the water sources from depths of less than 100 feet and above 100 feet have arsenic contamination problems. In addition, data analysis gathered by UNICEF for 6 wells 3 shallow and 3 deep in Muzaffargarh Punjab province located at lateral distance of 65 feet to 165 feet apart from each other revealed that arsenic in shallow well 20 to 35 feet deep ranged from 2.2 ug/L in deep wells 100 to 350 feet deep. it was from 61 to 170 ug/L the results suggesting that the increase of arsenic with depth in this specific locality. "

3. The report of Water Commission makes extensive reference to the industrial units which are injecting waste water / sewage through soaking pits into subsoil / discharge of liquid effluents without treatment causing serious contamination to aquifer /groundwater in the district of Lahore. Substantial steps have been taken by Water Commission with the aid of the focal person and a representative of the



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



Environmental Protection Department, Govt. of the Punjab. It has been brought forth in the report that undertaking has been submitted by various industrial units to follow up on the steps which would ensure the treatment plants to be installed in those units so that industrial waste does not contaminate the groundwater through soaking pits. Forty-three industrial units have been identified till now of which eighteen have been scaled. Most of them have furnished an undertaking to comply with the basic requirements of disposal of industrial waste. The Water Commission shall ensure that these units follow up on their undertaking. In case they do not do so, a further report shall be filed on the next date of hearing so that proper action is taken against these industrialists. The D.G Environmental Department is also present in Court and assures that full assistance shall be provided to the Commission in identifying industrial units which are in violation of the environmental standards with regard to the disposal of industrial waste.

4. It is made clear that any action being taken by the Water Commission is on the directions issued by this Court and shall be deemed to be in pursuance to such directions. Therefore, it is reiterated that all public officers and functionaries in the Province of Punjab ought to extend full cooperation to the Water Commission in the fulfillment and discharge of its duties”.

2. The order dated **15.01.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“The Chairman Judicial Water & Environment Commission has also placed on record the report regarding the non-compliance of the industrial units which are injecting waste water into subsoil and their failure to install affluent treatment plant. It is directed that the Commission shall pursue the steps put in place and take them to their logical conclusion. In case the industrial units do not comply with the direction, actions will be taken by the Commission in accordance with law by directing the Environment Department to do so”.

3. The order dated **30.01.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“The Water and Environmental Commission has submitted the report No.43 in which various steps taken by the Commission have been mentioned and elaborated upon. These steps include the sealing of the industrial units which are injecting hazardous pollutants in the ground water. The notice given to the industrial units to



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



compel them to install treatment plants have also been delineated in the report. Pursuant to the notices issued by the Commission an opportunity of hearing was provided to the industries and factories as well as housing societies prior to initiation of sealing operation against the non-compliant industrial units and housing societies. Notices were also issued to the Sundar Industrial Estate and the factories which are operating within that Estate.”

Securing Land for construction of combined affluent treatment plant at Sunder Industrial Estate.

4. The order dated **14.02.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“A report has been filed on behalf of the Chairman Water Commission. In that report, it has been pointed out that a combined affluent treatment plant is being set up in Sundar Industrial Estate. However, the learned counsel points out that a chunk of land was earmarked for setting up the treatment plant in Sundar Industrial Estate and it is apprehended that that land may be used for some other purpose. It is directed that the land earmarked for setting up the affluent treatment plant shall not be used for any other purpose during the pendency of this petition before this Court.”

5. The order dated **22.10.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“The learned counsel for LDA has placed on record the office order dated **21.10.2020** according to which the Vice Chairman has nominated Riaz Hussain Water Engineer specialized as a representative of LDA for liaison with the Water Commission. It is directed that the officer so nominated shall work in close contact with the Water Commission in order to implement the various regulations which have been put in place by LDA regarding water conservations and treatment plants. Learned A.A.G has also placed on record the report of the D.G Environmental Protection Agency regarding implementation of this Court’s order of banning of plastic bags”

6. The order dated **03.12.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



“Mr. Sheraz Zaka, Advocate has appeared in one of the connected petitions and states that there were a number of sugar industries set up in the area of Sargodha/ Bhalwal which were contributing to pollution of the groundwater aquifer by injecting the affluent directly into the ground. The D.G E.P.A shall depute a team of officers to visit these industries and to file a report within fifteen days.”

7. The order dated **11.12.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“Learned Addl. A.G has placed on record a notification issued by the E.P.A regarding constitution of a team for visiting sugar industries set up its the area of Sargodha, Bhalwal on the allegation that they are involved in pollution of the ground water aquifer by injecting the affluent directly into the ground. The notification shall be suitably amended to include a member of PDMA Punjab to be involved in the entire exercise.”

8. The order dated **24.02.2021** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“Report also refers to the action taken in respect of 26 sugar industries which have been given a deadline of 2nd March, 2021 for submission of environmental impact assessment along with respective design of the waste water treatment plants. In case compliance is not made of the directions issued by this Court and being implemented by the Water Commission, sealing of the premises of these sugar industries shall be undertaken by the EPD.”

Copy of the orders are Annexed as Annexure B1-B8.

Ablution water tank:

190 ablution water tanks have been successfully constructed in different housing societies including LDA, PHA, DHA, Cooperative Housing Societies. That the Data Darbar ablution water tank the very first of its kind and the largest tank has been completed which has the capacity to store **60,000-70,000** gallons per day.



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



Ablution water used for irrigation and Cleaning of Roads by PHA and LWMC.

Walton Cantonment Board/Ablution Water Tanks

Three (3) Major Mosques

| Sr. No. | Name of Mosques & Locations | Total Gallon Water Save |
|---------|--|--|
| 1 | Jamia Masjid Khalid Cavalry Ground Lahore Cantt | 4000 Gallons Per day |
| 2 | Jamia Masjid Mazahar-uloom Ra Bazar 4000 Gallons Per day | 4000 Gallons Per day |
| 3 | Imam Bargha ,Nishat Colony | 1000 Gallons Per day |
| 4 | PHA /Ablution water tanks in 52 Mosques | 52x1000= 52, 000 Gallons per day water saved |
| 5 | DHA/Ablution water tanks 11 ablution water tanks saving an average of 1000 gallons per tank per/day. | saving an average of 11,000 gallons per /day water saved. |
| 6 | Cooperative Housing Societies/LDA/ has installed 120 Ablution water tanks | 120x1000= 120,000 gallons per/ day water saved. |

Total water saved through installing Ablution Water Tanks

192,000 gallons per/ day
water saved.

The Honorable Court's Orders in Sequence with operating parts are reproduced as follows:

1. The order dated **20.12.2018** by the Honorable Lahore High Court passed in W.P.No. 231266/2018 titled Syed Kamal Ali Haider Vs G.O.P. etc. is reproduced as follows:

“M.D WASA submitted, that thousands of gallons of water is used on daily basis in Mosques and shrine for wuzu and by constructing a water storage tank with the Mosques/Shrine, that water can be stored for watering the plants. He further submitted, that WASA has successfully installed and operated a tank outside of a Mosque in Lahore for experiment. Therefore, P.H.A, L.D.A, WASA and Auqaf Department were directed to prepare plan for installation of water tanks alongside of Mosques/shrine for this purpose.”



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



2. The order dated **14.07.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“Learned counsel for Water Commission also informs that the project which is underway at Data Darbar for the storage of ablution water is also not being completed owing to lack of funds which are not being released by the relevant department. Learned Addl. A.G shall seek instructions in this regard and inform this Court on the next date of hearing.

3. The order dated **24.02.2021** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“Further Data Darbar Ablution water tank has almost been completed in which according to the report almost 60,000 gallons of water has been stored. The lorry hydrants have also been installed and the water tank shall be functional in another couple of days. Learned Addl. A.G submits that an application has been made to the Supreme Court of Pakistan for clarification of the order of the Supreme Court of Pakistan regarding purchase of vehicles.”

Copy of the orders are Annexed as Annexure C1-C2.

Copy of the orders dated 24.02.2021 is already Annexed as Annexure B7.

Car wash recycling plant:

Through intervention of the Honorable Lahore high Court the Commission has ensured the installation of **310** Car Wash Recycling Systems. It is pertinent to mention here that the follow up teams have been formulated by the Judicial Water & Environmental Commission from amongst the WASA officials which daily monitor and check the operationality of the car wash recycling plants.

The Honorable Court’s Orders in Sequence with operating parts are reproduced as follows:

1. The order dated **29.09.2018** by the Honorable Lahore High Court passed in W.P.No. 231266/2018 titled Syed Kamal Ali Haider Vs G.O.P. etc. is reproduced as follows:



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



“It is noted during the arguments and reports submitted by the departments that clean water is being wasted by the petrol pumps/service stations to wash the vehicles. As per report, approximately 400 liters clean water used to wash a vehicle and further the owners of the petrol pumps/service stations (vehicles washing) are not being paid even a single penny from the day first to the WASA Lahore or the Government of Punjab despite the fact, that the state is the owner of the minerals. In this state of affairs, it is directed that the Chief Secretary Punjab shall issue a direction to all the concerns in the following terms: -

That all petrol pumps having facility of service station (Car Wash) and the Car Wash stations owners shall make arrangements for recycling of the water being used for service of vehicle. For this purpose a water tank shall be constructed with the consultation of Engineer.”

2. The order dated **11.12.2018** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“As a first step, WASA and LDA (aided by the Metropolitan Corporation, Lahore) are directed to issue prohibition regarding car washing by use of pipes with an unrestricted supply of water. If at all it is necessary to wash a car, the residents can only do so by storing water in a bucket or other container. Preferably, it should only be done at a validly operated car wash stations.”

Copy of the orders are Annexed as Annexure D1-D2.

Use of surface water:

The Commission under the auspicious of the Honorable Lahore High Court Lahore opened **17 out of 24 irrigation channels of the Lahore Branch Canal** which remained chocked for 35 years. After restoration of Lahore Branch Canal surface water was substituted with ground water as a result of which **GOR-I, FC College, Model Town, Race Course Park, Lawrence Garden, Mental Hospital, Punjab University Quaid-e-Azam Campus, Governor House, Aitchison College, Jallo Park** are now being irrigated with surface water rather than ground water.



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



The Honorable Court's Orders in Sequence with operating parts are reproduced as follows:

1. The order dated **29.09.2018** by the Honorable Lahore High Court passed in W.P.No. 231266/2018 titled Syed Kamal Ali Haider Vs G.O.P. etc. is reproduced as follows:

“The water courses as pointed out through a report by the Additional Director General, PHA, still exist through which the major parks, Governor House and Aitcheson College, G.O.R-I, Lahore can be provided canal water for plantation. Secretary, Irrigation Department shall ensure that the water courses, which are 26 in number, shall be opened within 15 days and a compliance report shall be submitted”.

2. The order dated **20.12.2018** by the Honorable Lahore High Court passed in W.P.No. 231266/2018 titled Syed Kamal Ali Haider Vs G.O.P. etc. is reproduced as follows:

“The Additional Secretary, Irrigation Department and Managing Director WASA reported, that 26 water courses started from canal are closed and almost become redundant. The Additional Secretary, Irrigation Department, on the next day after inspecting the site submitted, that he will try to re-open the water courses. The Additional Secretary, Irrigation Department, with the help of P.H.A and WASA, by putting utmost efforts succeeded to open 17 watercourses running from canal and presently the Governor House, Aitchison Dollege, GOR-I, Bagh-e-Jinnah (Lawrence Garden) and Jillani Park (Racecourse Park) are being irrigated from the canal water. It was also reported, that the watercourse up to the Model Town Lahore have also been re-opened and presently, the Model Town Park, which is a big one, is being irrigated by the canal water channel. The Additional Secretary Irrigation Department also informed, that a major portion of the water channel starting from canal to Lahore Cantt. is available but is not possible to functional as part of the channel. The Lord Mayor, Lahore, Additional Secretary, Irrigation Department, Managing Director, WASA and CEO Lahore Cantonment Board visited the site and finally they succeeded to open the water channel and presently most of the area of Lahore Cantonment board is being irrigated by canal water.

Learned counsel for the petitioner, on the basis of the report submitted by the Additional Secretary, Irrigation Department, submitted, that because of the order passed by this Court and the efforts made by the MD WASA, Lord Mayor Lahore and Additional Secretary Irrigation Department, more than 22 lac gallons drinkable water daily is being saved.



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



Irrigation Department and Planning & Development Department, Government of the Punjab was directed to expedite the 'Ravi River front Urban Development project for using the canal water for drinking purpose.

Copy of the order dated 20.12.2018 is already Annexed as Annexure C1.

Copy of the order dated 29.09.2018 is already Annexed as Annexure D1.

Reuse of treated water for irrigation and washing of roads:

The Judicial Water Commission ordered **US Denim & Coca Cola Pvt ltd** which are now treating approximately **72 Lacs liters** of waste water and making it reusable to provide the same to PHA for utilization of horticultural activities and to the Lahore Waste Management Company for washing of roads.

Issuance of challan for wastage of drinkable water:

It was ordered by the Commission that the bucket of water can be used to wash vehicle. The Commission included washing of pavements, roads in category of water abuses. It is pertinent to mention here that till date **7000 challans** have been issued against various violation.

Collection of Aquifer charges from private housing societies all across Punjab:

That the Judicial Water Commission in the history of Pakistan for the first-time imposed payment of aquifer charges on private housing societies. That as a result **1.3 Billion rupees** were collected for the payment of aquifer charges for various private & public housing societies and the Collection is ongoing contributing to the Provincial Exchequer.

The Honorable Court's Orders in Sequence with operating parts are reproduced as follows:

1. The order dated **29.09.2018** by the Honorable Lahore High Court passed in W.P.No. 231266/2018 titled Syed Kamal Ali Haider Vs G.O.P. etc. is reproduced as follows:



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



(ii) “The Managing Director, WASA Lahore informed that the owners of service Stations are not being paid even a single penny to the WASA or to any other government departments and using the clean water free of cost. M.D. WASA is directed to issue the monthly bills to recover the aquifer charges forthwith. To recover the aquifer charges from the owners of the service stations from all over the Punjab, direction shall be issued by the Chief Secretary Punjab.

(iii) An apprehension has been shown that the owners of the car wash may increase the service charges which definitely will burden the public at large. It is ordered that the District Magistrate/Deputy Commissioner shall fix the rate of Vehicles Washing, which shall be display by the owner of Service Stations/Petrol Pumps.

(iv) M.D. WASA has pointed out that the Water and Sewerage tariff has not been increased from the last sixteen years. Further submits that the to increase the Water and Sewerage tariff a summery has already been moved to the governing body of the LDA to approve the same but because of non-existent of the governing body the matter is pending. The D.G. LDA present in the Court submits, that the governing body is to be constituted by the government. The Chief Secretary shall approach to the Chief Minister Punjab and ensure that the governing body shall be constituted within 15 days. The meeting of the governing body shall be convened thereafter within one week, wherein the Water and Sewerage tariff shall be approved.

(vii) It has also been reported by the M.D. WASA and D.G. LDA that the private housing societies approved or unapproved are not being paid even a single penny to the government to use the drinkable water although those are receiving monthly bills from the residents of aforesaid referred colonies. The MD. WASA shall forthwith issue monthly bills to all the societies located in Lahore to recover water/aquifer charges along with “tawan” of previous period.

(viii) The Chief Secretary shall issue directions to all the concerned departments to recover water/aquifer charges along with "tawan" of previous period from the societies approved/ unapproved from all over the Punjab. Report shall be submitted within 15 days.”

Copy of the order dated 29.09.2018 is already Annexed as Annexure D1.

Rain Water Harvesting:

The Judicial Water Commission steered two projects in collaboration with WASA one by name of Drainage Sore Point located at Lawrence Road the underwater reservoir



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



which will be constructed over an area diameter of **13 thousand square feet upon completion shall have the capacity to store 15 Lac gallons of storm water.**

The Honorable Court's Orders in Sequence with operating parts are reproduced as follows:

1. The order dated **14.07.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“Report No.62 has been filed which relates to the water tank which is part of the project of rain water harvesting and currently is being constructed at Lawrence Road, Lahore. According to the learned counsel for Judicial Water Commission, the water tank is being completed, however, funds which are necessary for its completion are not being released by Government and this creates an impediment in the way of its entire construction. Learned Addl. A.G shall seek instructions as to why funds are not being released. It is made clear that the water tank is being constructed with the active intervention of this Court and the efforts being put in by the Water Commission appointed by this Court. In this regard on numerous occasions this Court had to issue directions for the release of funds which were withheld by the Government and due to which the project could not be completed to this day. However, the entire funds required for its completion are still being withheld by the Government. It is also made clear that the Government including its ministers or any of other functionaries should not take undue credit as being reported in the media regarding ownership of this project and its completion which owes entirely to the efforts by the Water Commission appointed by this Court. However, it is expected that the Government shall initiate similar projects which are essential for water conservation and for raising the level of aquifer of Lahore”.

2. The order dated **09.10.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“The learned counsel has referred to the report prepared by Pakistan Council of Research in Water Resources regarding groundwater through rain water harvesting. Firstly, according to the learned counsel, the first rain water harvesting will be installed commencing 12th of October, 2020. This report shall be placed before the Vice Chairman, LDA for further action with regard to water conservation as LDA as a regulatory authority is tasked with future projects which have a huge impact on the aquifer of Lahore. The Vice Chairman LDA shall convene a meeting during the next week



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



in which this issue shall be highlighted. Furthermore, LDA shall place on record concrete measures which the LDA seeks to take for the purpose or overseeing future construction but also for enforcing installment of treatment plants in all future constructions to be undertaken within the territory being regulated by LDA.”

3. The orders dated **03.12.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“Also the learned counsel for the Commission submits that further funds are required for completion of Lawrence Road water reservoir project. Learned A.A.G shall seek instructions from the Secretary Finance regarding this project on the next date of hearing.”

Copy of the orders are Annexed as Annexure E1.

Copy of the order dated 14.07.2020 is already Annexed as Annexure C2.

Copy of the order dated 03.12.2021 is already Annexed as Annexure B5.

Recharge Well:

Under the direction of the Commission the **PCRWR and PHA** initiated the project of installation of recharge wells for the purpose of water recharge which is under process. On the successful completion of recharge well design the PHA under the direction of the Commission shall install recharge wells in **300 Parks** across Lahore.

Water Meters:

That there are more than **700,000** connections in Lahore whereas water meters are not more than **40,000**. On the direction of the Honorable Lahore High Court the WASA expedited the process of installation of water meters and currently the acquisition of water meters is at prequalification stage of the bidding process for the acquisition of **7,110,00 meters**.



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



The Honorable Court's Orders in Sequence with operating parts are reproduced as follows:

1. The order dated **29.09.2018** by the Honorable Lahore High Court passed in W.P.No. 231266/2018 titled Syed Kamal Ali Haider Vs G.O.P. etc. is reproduced as follows:

“The MD WASA present in the court has pointed out that there are about 07 lac water connections and the WASA could only install 4000 meters. I think this is the major reason that the drinkable water is being wasted and through the unmetered connections it is not possible to save the water or to make the new projects. The MD WASA has informed, that to import the meters a summery has also been moved to the P&D Board Government of the Punjab but the funds are not being provided. The Chairman P&D board, present in the Court, has ensured that the requisite amount to import the water meter shall forthwith be provided to the WASA. Whereupon MD. WASA has assured that after receiving the water meters the same shall be installed within two months”.

2. The order dated **29.07.2019** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“One of the steps is regarding installation of the meters. It has been brought forth in the report that there are no water meter manufacturers in Pakistan and the meters for the purpose will have to be imported. There is an excessive amount of custom duty which is imposed on the importation of the meters. Learned Assistant Attorney General is present on Court's call and shall seek instructions from the Member Customs as to the possibility of waiver of customs duty after seeking instructions from the Federal Government. This is a matter of national importance and water saving can only be possible if water meters are installed and people are made aware of the use of water in a more prudent manner. Also, a letter has been produced which has been written by the Planning and Development Board and addressed to the Managing Director, WASA regarding certain formalities to be complied with regarding procurement of the meters. The Managing Director, WASA is present in the Court and undertakes that required documents shall be furnished as early as possible. The M.D, WASA is also directed to expedite the process and to file its report before the next date of hearing”.

Copy of the order are Annexed as Annexure F1.

Copy of the order dated 29.09.2018 is already Annexed as Annexure D1.



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



Sealing of Tube wells and reduction in water supply timing:

On the direction of Honorable Lahore High Court, the Judicial Water and Environmental Commission **Sealed 7 tubewells** of 2-3 cusec at various location of Lahore. It is pertinent to mention here that the Judicial Water Commission directed the WASA to reduce the timing of water supply which has resulted a huge water saving.

Water Conservation incorporated in various LDA building plans:

That on the directions of the Honorable Court the LDA in cooperated construction of two water tanks as mandatory requirements for issuance of completion certificate.

The Honorable Court's Orders in Sequence with operating parts are reproduced as follows:

1. The order dated **29.09.2018** by the Honorable Lahore High Court passed in W.P.No. 231266/2018 titled Syed Kamal Ali Haider Vs G.O.P. etc. is reproduced as follows:

“During arguments parties to the case agreed that a mechanism be introduced to save the water in the housing societies being controlled by the Lahore Development Authority or by the local governments. It is agreed that in future the LDA and other authorities of the Punjab including local governments/TMAs shall not pass a building plan or issue the completion certificate wherein 2 separate underground water reservoirs (to save clean/rainy water and drinkable water coming from WASA/LDA or any other source. This shall also be applicable on the societies, approved, unapproved or the cooperative housing societies. This direction shall be issued by the LDA and the Chief Secretary to all the concerned. Compliance report shall be submitted on the next date of hearing. For this purpose, the engineers of the concerned departments shall make a layout plan which will be provided to the residents. Moreover, directions for all over the Punjab shall also be issued by the Chief Secretary, Punjab. They are also directed to launch awareness campaign for the Public. PEMRA shall forthwith ensure its telecasting by the TV channels at peak time of board casting.”

2. The order dated **02.10.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



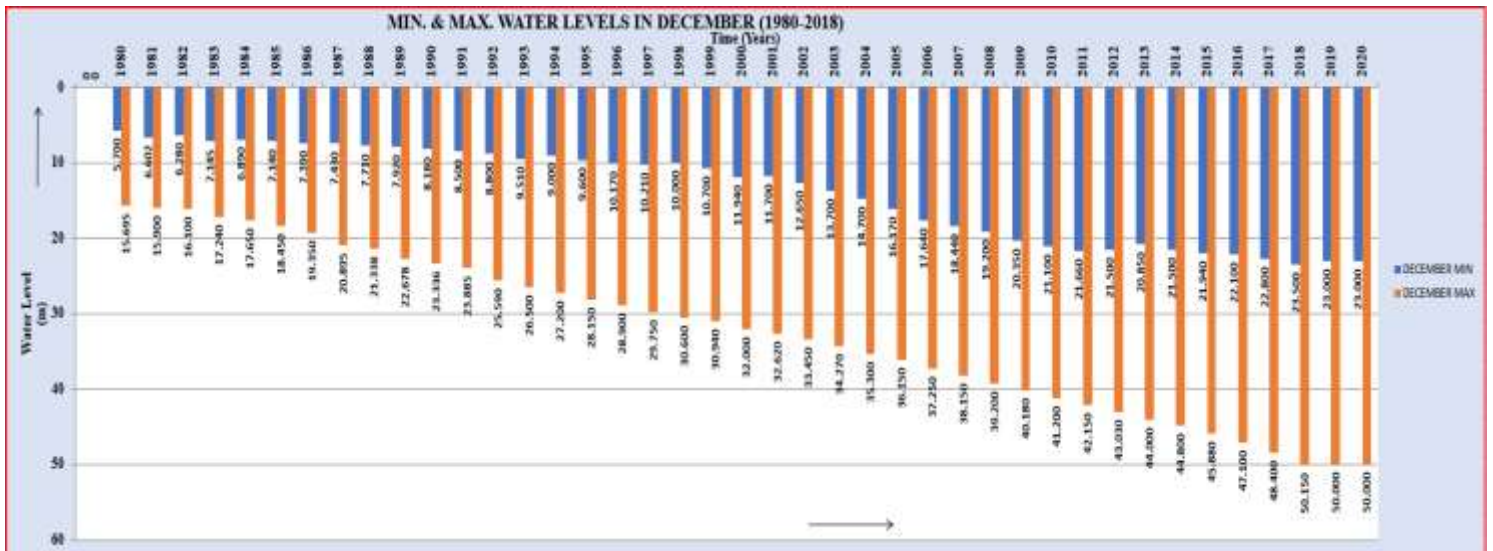
“The counsel for LDA referred to the report filed on the last date of hearing. According to the learned counsel, funds have been allocated by the Authority for construction of two water tanks in Lahore at the cost of 115 Million. Also a project for urban station has been launched and the necessary funds have also been allocated. Building & Zoning Regulations, 2019 have been approved which provide for solar panels to be installed by all the commercial buildings. The counsel for LDA shall place on record a report delineating the steps taken by LDA as well as the duly approved Regulations which provide these measures to be taken. The counsel shall also file a report regarding the steps taken by LDA for the implementation of these Regulations which is the most essential component of the entire project.”

Copy of the order are Annexed as Annexure G1.

Copy of the order dated 29.09.2018 is already Annexed as Annexure D1.

Water Table:

That amongst the various interventions initiated by the Honorable Lahore High Court and its Commission working under the auspices regarding conservation, protection of groundwater which included the aforementioned steps which have been taken time and again and are still subsisting. **That as per the Directorate of hydrology WASA water level was lastly 50.150 meters in 2018 and since then till 2020 it is at 50 meters meaning thereby that there has been no further depletion of groundwater.**





JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



Total Water Saved through the interventions of the Honorable Lahore High Court:

WATER SAVED AS A RESULT OF THE FORMULATION OF JWC.

| <i>Sr. No.</i> | <i>Activity</i> | <i>Saving of Ground Water (Million Gallons per Day)</i> |
|---|--|---|
| 1. | Restoration canal water channels of Lahore branch Canal . | 17.50 |
| 2. | Recycling and mechanized car washing | 0.35 |
| 3. | Aquifer charges on water bottling firm (@20% saving by decreasing wastage) | 3.00 |
| 4. | Aquifer charges on industries and private housing schemes | 3.00 |
| <i>Two Crore thirty Eight Lacs and Fifty Thousand Gallons per day</i> | | 23.85 |

Surface Water to substitute Ground Water Use in Parks

Irrigation Department

| | |
|--|--|
| 11 parks Race course park ,Baghe Jinnah, Governors House ,Aitcheson College, State Guest House Gorl,Mental Hospital FC college ,Model town Punjab university Quaid Azam Campus, Jallo park | 27.125 Cusecs Amounting To One Crore Seventy Five Lakh Gallons of Ground Water Per day has been saved. |
|--|--|

| | |
|--|---|
| In collaboration with the Irrigation department the Walton cantonment board has substituted surface water with ground water. | 44,000 gallons of ground water per/day whereas the total requirement of Walton cantonment board is 69,000 |
|--|---|



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



FORMULATION OF
JUDICIAL ENVIRONMENTAL COMMISSION

The orders dated **31.10.2019** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“The issue of smog, was dealt with on the last date of hearing and a meeting chaired by the Chief Secretary, Punjab was also brought to the notice of this Court in which it had been decided that the brick-kilns operating on the old technology shall not be permitted to operate from 1st of November, 2019. However, in recent days the condition of smog has deteriorated to an alarming extent. In one report released by an international agency, Lahore has been declared to be the most polluted city in the world.

The proceedings in this Court today have convinced this Court that it is imperative to put in place certain measures for dealing with the issue of pollution which has assumed alarming proportions in the recent days. It is likely to worsen in the coming days and must be dealt with on emergency basis. For the purpose, the Commission appointed by this Court is also designated as the Environmental Commission.

It is directed that all departments of the Govt. of the Punjab shall render proper assistance to the Commission in the discharge of its functions and all proceedings taken by the Commission shall be deemed to have been authorized by this Court. The Commission shall take all measures which are imperative for putting a stop to further contribution to pollution being cause to the atmosphere of Lahore”.

Copy of the order is Annexed as Annexure H.



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



Judicial Orders for Curtailing the Effects of SMOG

Conversion of Brick kilns from bull trench to Zigzag technology all across Punjab:

That as a consequence of the Honorable Lahore High Court orders the Brick Kilns have now reached **100% conversion** across Punjab which have been converted from old bull Trench technology to zigzag Technology. It is pertinent to mention here that in order to maintain the percentage of converting brick kilns, the follow-up teams appointed by the Judicial Environment Commission randomly check the brick kilns and if they find the non-compliant seal the brick kilns premises to ensure the Honorable Courts orders are complied with.

The Honorable Court's Orders in Sequence with operating parts are reproduced as follows:

1. The order dated **11.10.2019** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“The report has been filed on behalf of the learned counsel for Water Commission. It is placed on record. Learned A.A.G has also placed on record the minutes of the meeting held under the chairmanship of the Chief Secretary regarding the condition of smog in the Punjab and the measures which have been directed to be taken. The representative of EPD shall also file a report on the next date of hearing as to whether the brick-kilns which are still operating without the new technology have been allowed to operate or not”.

2. The order dated **30.01.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“It is imperative therefore that the brick kilns be converted to the latest technology and for which a timeline has been provided depending upon the various regions which have been divided into zones. The brick kilns which fall within the red zones have been



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



directed to shift to zigzag technology on 30.06.2020. These measures regarding the conversion of the operation of the brick kilns will be followed up meticulously by the Environmental Department of the Govt. of the Punjab. The Secretary Environment shall take appropriate steps for implementing the decisions made in the meeting of the Cabinet subcommittee on smog. A periodic report shall be submitted on each date of hearing by the Secretary Environment or by the EPA which shall be taken up for perusal by this Court”.

3. The order dated **14.07.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“According to the report No.61 filed by the Judicial Water Commission, short term plan has been formulated which includes the shutting down of brick kilns which are running on old technology and which have not converted to zigzag technology. Also stubble burning which is major cause of environmental pollution should not be permitted and ought to be monitored under the supervision of the Administrative Department and clear directions should go out to the Deputy Commissioners of each district to ensure that no one indulges in stubble burning. Also, Section 144 Cr.P.C should be imposed and no brick kiln should operate during that period. It is also made clear that in case violation is made within the area of a particular District, the Deputy Commissioner of that District will burden the responsibility to answer for that violation and apart from other administrative action, he will be held for contempt of this Court's order. This direction should be passed on clearly to the Administrative heads of the Districts. For the purpose Secretary Agriculture shall convene a meeting and apart from passing of these directions, take measures for strict compliance of the steps which are necessary for the smog to be curtailed”.

4. The order dated **03.12.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“It has been stated in the report that at least 1200 more brick kilns have been converted to zigzag technology. A large number of brick kilns have been sealed which were operating on old technology. The number of smokes emitting vehicles which were challaned have also been given in the report and a substantial amount of fine has been recovered and 1108 vehicles were impounded during operation.”



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



Fine Imposed on brick kilns:

5. The order dated **03.06.2021** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“Learned counsel for Judicial Water & Environmental Commission has pointed out that time and again sealing is being done of the brick kilns that were operated unlawfully but they continue to operate and there is no deterrence for them to shut down permanently or to convert to zigzag technology. It is directed that the officer of EPA are empowered to impose fine of Rs.50,000/- to Rs.100,000/- in case any violation is noticed in future.”

Copy of the orders is Annexed as Annexure I-II.

Copy of the order dated 30.1.2020 is already Annexed as Annexure B3.

Copy of the order dated 14.7.2020 is already Annexed as Annexure C2.

Copy of the order dated 3.12.2020 is already Annexed as Annexure B5.

Control on Vehicular Emission:

The action against smoke emitting vehicles which includes the number of vehicles which have been checked have reached **39528**, number of vehicles which have been challenged are **10466** and the amount of fine which has been imposed is Rs. **11,508,200/-** number of vehicles which has been impounded have reached upto **2485**. Relevant part of the report highlighting the action against smoking meeting vehicles is reproduced as under:

| | |
|----------------------------------|---------------------|
| No. of Vehicles Checked | 39528 |
| No. of Vehicles Challaned | 10466 |
| Fine Imposed | 11,508,200/- |
| Vehicles Impounded | 2485 |



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



The Honorable Court's Orders in Sequence with operating parts are reproduced as follows:

Vehicular Inspection and Certificate System for Punjab

1. The order dated **07.02.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“Dr. Wasim. the Director Planning Unit, Vehicular Inspection and Certification System appeared and according to him centers have been set up across Punjab to determine the efficiency and safety of the public vehicles. However, the remit of the authority does not extend to private vehicles which contribute 90% of the vehicular omission. For the purpose, systems are being installed and will require some time to do so. However, according to him, the authority is closely monitoring the efficiency and safety of the public vehicles and a six-month inspection is carried out. Be that as it may, the Director shall file a report on the next date of hearing regarding the steps taken for the purpose and the standard operating procedures employed by the authority in this regard”.

2. The order dated **22.10.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“Learned counsel for Water Commission apprised that the Environmental Protection Department did not have the capacity to undertake the challans of vehicles making hazardous emissions as directed by this Court on the last date of hearing. It is directed that the City Traffic Officer, Lahore shall issue directions to the traffic police to ensure that pollution emitting vehicles as indicated by the Environmental Protection Department are not permitted to ply on the roads. All such vehicles shall be impounded and dealt with in the manner specified by this Court in its order dated 09.10.2020. Therefore, the traffic police shall inform the officers of Environmental Protection Department to take the necessary actions. In this regard a mechanism shall be setup between the traffic police and the Environmental Protection Department and the said mechanism shall be placed before the Water Commission for approval.”



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



3. The order dated 02.11.2020 by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“The learned counsel for the Judicial Water Commission has placed on record the minutes of the meeting pursuant to the directions issued by this Court regarding smog is well as traffic congestion. The update of these meetings shall be filed before this Court on the next date of hearing. The Commission shall impress upon the CTO Lahore to ensure that the personnel of the traffic police are prepared to take strict action against the smoke emitting vehicles and imposing fines and impound them as directed by this Court on the previous dates of hearing. The latest report has also been submitted by the counsel for the Commission regarding action against smoke emitting vehicles which shows that the activity has been enhanced substantially and at least 431 vehicles have been impounded. It is directed that the campaign should be pursued vigorously in this regard by the traffic police. It has also been informed by the learned counsel for Water Commission that the meetings are due to be held and the report shall be filed on the next date of hearing.”

E-Challan on Vehicular Smoke Emission:

That the Punjab safety authority has been submitting its weekly congestion and encroachment report and the Punjab safe City authorities has been successful in issuing E-Challan for smoke emitting vehicles the payment of a fine of Rs **2000** is being levied.

The Honorable Court’s Orders in Sequence with operating parts are reproduced as follows:

1. The order dated **06.03.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“The learned counsel for the Chairman next contended that issuance of E-Challan system was stalled and require amendments in the Motor Vehicle Ordinance, 1965. These amendments have been proposed and approved by the Cabinet and have to be placed before the Provincial Assembly. Learned A.A.G shall seek instructions on the next date of hearing as to when these amendments shall be placed before the Provincial Assembly for being enacted into law. Some of the major reasons delineated in the report for congestion on the roads are under-age driving, driving by non-license holders,



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



overloading and non-compliance of helmets by motorcyclists. It is directed the City Traffic Police Lahore in coordination with PSCA shall initiate a drive to impound such vehicles on the basis of data provided by PSCA which will ensure that the roads of Lahore are much safer place for all legitimate users. Further, the Excise & Taxation Department is directed to update the complete addresses of vehicle owners and link the data with data maintained by PSCA so that E-Challan system can be improved.”

Substandard Fuels and adoption of Euro IV:

That in context of substandard fuel **491** inspection was carried out and 139 fuel stations with selling substandard fuel whereas **144 FIR**'s were logged and **64** persons were arrested lastly **143** fuel stations were sealed. Relevant part of the report is reproduced as follows:

| Action | Progress |
|--|-----------------|
| Fuel station inspections. | 491 |
| No. of fuel stations found selling substandard fuel. | 139 |
| FIRs | 144 |
| Persons Arrested | 64 |
| Sealed | 143 |

1. The order dated **30.01.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“The Deputy Director EPA further stated that a major source of smog and pollution was the fuel use in various vehicles in Punjab which had a high sulphur content. Fuel sulphur was the major contributor to the environmental pollution and it was imperative therefore that the standard of fuel being used in the vehicles plied in Pakistan be converted to a more refined form of fuel. The learned Asst. Attorney General present on Court's call is directed to file a report on the next date of hearing on behalf of the Minister for Climate Change of the Federal Government apprising the



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



various steps taken by the Federal Government for the import of low-sulphur fuel for use in the vehicles”.

“According to the Deputy Director EPA, a Vehicular Inspection and Certification System has been introduced by the Govt. of the Punjab. However, the effectiveness of that system leaves a lot to be desired, One of the effective measures which can be taken by the Transport Department is to compel the vehicles running on diesel to install catalytic converters which are devices meant to be installed for the purpose of pollution control. In most cases, the drivers of diesel vehicles do not follow the compulsory requirement of installing these converters in their vehicles. The Asst. A.G shall ensure the presence of an officer of the Transport Department who is the In charge of the System referred to above on the next date of hearing”.

2. The order dated **07.02.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“The learned Asst. Attorney General apprised this Court regarding steps taken by the Federal Government for adoption of Euro IV standards for diesel and petrol fuels. According to the representative of the Ministry of Climate Change, it falls within the authority of Ministry of Petroleum to do so. In this regard he has referred to an office memorandum whereby the Petroleum Division has been required to submit a summary to the Cabinet for approval. The Asst. Attorney General shall seek instructions from the Secretary Petroleum Division. Government of Pakistan and apprise this Court as to when the summary shall be placed before the Cabinet for approval. It is pertinent to mention that low-grade fuel is a major contributory of environmental pollution and comprises 45% of the pollution that afflicts our environment”.

Fine Imposed on smoke emitting vehicles:

3. The order dated **02.10.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“This is an application on behalf of Water & Environment Commission regarding the issue of low rate of challan being issued to vehicles which are emitting emission



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



which is hazardous to the environment. According to this application, vehicular emission contributes 43% to the smog in the atmosphere. Firstly, it has been contended by the learned counsel that there is no power in the Environmental Protection Department to impound these vehicles. However, since these vehicles are emitting hazardous pollutants in the environment, it is imperative that Environmental Protection Department should be given power to impound those public transport vehicles which are unfit for being plied on the roads and are emitting hazardous emission in the environment. It is therefore directed that Environmental Protection Department, Transport Department as well as Traffic Police shall be empowered to impound these vehicles for a period of three days subject to the fulfillment of the technical specifications to be installed in these vehicles so that these vehicles should not be making hazardous emissions. Thereafter, as suggested by E.P.D, the owner of the vehicle shall be given 7 days time to comply with all the specifications. During that time, the documents of the vehicle shall be kept with the officer of E.P.D for further action in case the compliance is not made. Further, the Administrator of Lorry Adda, Lahore is directed to accommodate all such vehicles impounded by E.P.D. and the Transport Department and make temporary arrangements for these vehicles to be parked in Lorry Adda. The E.P.D/ Traffic department shall be empowered to levy a fine up to Rs.2000 on such violations.

4. The order dated **03.12.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“The number of smokes emitting vehicles which were challaned have also been given in the report and a substantial amount of fine has been recovered and 1108 vehicles were impounded during operation.”

5. The order dated **11.12.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“The report No. 77 has been submitted by the learned counsel for Water Commission. In this report, the actions taken against the brick kilns as well as the smoke emitting vehicles have been brought forth. It seems that substantial actions have been taken on the directions of this Court for the closure of brick kilns operating on old technology as well as smoke emitting vehicles which shall be continued as before.”



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



6. The order dated **24.02.2021** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“It also mentions the action taken against smog emitting vehicles against whom a fine of Rs.11,403,550/- has been imposed and recovered whereas 2463 vehicles have been impounded.”

Strict Compliance of Non-motorized vehicles on Model Roads:

1. The order dated **02.10.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“It is also submitted that the Commissioner Lahore has designated certain roads as model roads. For the purpose, it has been provided that public transport vehicles shall not be able to ply on these roads. These vehicles have been termed as non-motorized vehicles. Since the Commissioner, Lahore has already passed an order, it is directed that strict compliance of this order shall be ensured by the Commissioner, Lahore and these vehicles shall not be allowed to enter or ply on the model roads so designated by the Commissioner.”

Copy of the orders is Annexed as Annexure J-J2.

Copy of the order dated 22.10.2020 is already Annexed as Annexure B4.

Copy of the order dated 30.1.2020 is already Annexed as Annexure B3.

Copy of the order dated 02.10.2020 is already Annexed as Annexure G.

Copy of the order dated 3.12.2020 is already Annexed as Annexure B5.

Copy of the order dated 11.12.2020 is already Annexed as Annexure B6.

Copy of the order dated 24.02.2021 is already Annexed as Annexure B7.



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



Installation of Dry Scrubbers in steel rerolling mills:

The number of smokes emitting industries in the district of Lahore against which action was initiated and therefore industrial units were sealed on emission of excessive smoke and particulate matter were **223**. Action against smoke emitting industries is reproduced as follows:

| Brief Description | Progress |
|---|-----------------|
| No. of Inspections Conducted | 715 |
| Units working without emission control system | 167 |
| Steel Industry operating without scrubber | 142 |
| No. of units sealed on emission of excessive smoke / particulate matter. | 223 |
| No. of FIRs lodged on smoke emission / violation of PDMA directions. | 78 |

The Honorable Court's Orders in Sequence with operating parts are reproduced as follows:

1. The order dated **05.08.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“The report mentions the update on the issue of pollution causal by steel melters. It has been informed that the Steel Melters Association met with the Chairman of the Water Commission and undertook to put in place certain instruments which are required to be installed so that the pollution can be curtailed substantially. A period of ninety days has been given to the steel melters to do the needful. A continued oversight



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



shall be done by the Chairman Water Commission so as to follow up on the promise made by the Association on behalf of the steel melters”.

2. The order dated **24.02.2021** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“Report No.82 has been filed by the Water Commission in which various steps have been mentioned which have been taken by the Water Commission for the control of smog in Lahore. At least 223 industries were sealed for emitting environmental hazardous material as pollutants”

Copy of the order is Annexed as Annexure K.

Copy of the order dated 24.2.2021 is already Annexed as Annexure B7.

Installation of Anti-Smog towers on experimental basis:

The Honorable Court’s Orders in Sequence with operating parts are reproduced as follows:

Sprinkling and mechanical cleaning on roads for controlling smog:

1. The order dated **07.02.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“It has been apprised by Mr. Anis Ali Hashmi, A.A.G as well as counsel for WASA that Lahore Waste Management Company (LWMC) has the ability to carry out sprinkling and mechanical cleaning which is an essential ingredient in controlling environmental pollution. In this regard, the water being stored in the tanks built with the various mosques in Lahore can be utilized for the purpose. The learned Chairman Water Commission shall convene a meeting with the MD of LWMC as well as PHA to devise a plan for the water stored in those tanks to be utilized for the purposes of sprinkling and mechanical clinic. According to Deputy Director this part constitutes an important element in controlling the environmental pollution and smog which accumulates during



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



winter season. A report to this effect shall be filed by both the LWMC as well as PHA and in that report a comprehensive plan shall be laid out for approval by this Court”.

2. The order dated **09.09.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“In this regard the representative of E.P.A has produced extracts which show that modern technology in the form of antismog towers have been installed and are successfully operational in different cities. They have significantly contributed to lowering the level of smog and pollution in these cities. Learned Addl. A.G shall also assist this Court on this aspect after making inquiries from the department which is the most relevant for determining suitability of these towers.

Mr. Usman Naeem, Country Economist of International Growth Centre (IGC) an NGO which is working in collaboration with LUMS has filed a report regarding proposed design for the anti-smog towers. He undertakes to assist this Court on the next date of hearing regarding effectiveness and evaluation of anti-smog towers which have already been set up in various cities of the world. The learned counsel for the petitioner as well as counsel for Water Commission shall also assist this Court on the effectiveness of these towers and whether a direction should go out to the government for their erection in various parts of Lahore.”

3. The order dated **02.10.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“Dr. Quratulain Syed, D.G PCSIR has appeared and submits on behalf of the federal Minister for Science & Technology that three to six months are required for the PCSIR in collaboration with Engineering Development Board to develop anti smog towers in Pakistan. It is directed that PCSIR shall commence the work for development of anti smog towers and it is expected and hoped that the Minister for Science & Technology shall take personal interest in pushing ahead the project so that it can be completed within the timeline. A preliminary report shall be filled by D.G PCSIR within the next one month.”

Copy of the order is Annexed as Annexure L.

Copy of the order dated 07.02.2020 is already Annexed as Annexure J.

Copy of the order dated 02.10.2020 is already Annexed as Annexure G.



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



Review of Transport Master Plan for reducing traffic congestion:

The Honorable Court's Orders in Sequence with operating parts are reproduced as follows:

1. The order dated **07.02.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“In a nub, according to him, the traffic police is concerned with the enforcement part of the issue whereas the planning has to be done by other departments of the Govt. of the Punjab and unless a proper plan is put in place to work in coordination with the traffic police, all efforts in this regard solely by the traffic police will be in vain. Thus according to him it is imperative that directions be issued to both the TEPA as well as the Transport Department to come up with a transport master plan for implementation and which can be enforced by the Traffic Police of Lahore. There is much substance in the submissions made by CTO and the problems relating to congestion and saturation of the traffic can only be dealt with if a proper plan is put in place for the vehicles to comply with. It is thus directed that the Chairman Water Commission appointed by this Court shall convene a meeting of the stakeholders i.e. CTO, Lahore, Managing Director TEPA as a representative of the Transport Department, Govt. of the Punjab. It is further directed that the learned Chairman Water Commission shall oversee the formulation of a transport master plan by TEPA regarding the infrastructural and other issues of the roads of Lahore for approval by this Court and implementation in due course of time. This shall be done within a period of two weeks from today. In the first instance, the plan shall envisage the major roads and arteries of Lahore on which it shall be implemented. The learned Chairman shall also be empowered to require the presence of the MD of Lahore Parking Company who shall unveil a plan regarding the parking of vehicles on service roads etc. and for the purpose shall do so within the next two weeks”.

Copy of the order dated 07.02.2020 is already Annexed as Annexure J.



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



Anti-Encroachment campaign for reduction of traffic congestion:

The Honorable Court's Orders in Sequence with operating parts are reproduced as follows:

1. The order dated **07.02.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“LDA on its part is directed to undertake a comprehensive campaign against encroachments. In the first phase. the major roads shall be targeted for that campaign and DG LDA or the concerned officer of LDA in respect of encroachments shall file a report on the next date of hearing. The learned Chairman shall also coordinate with CTO Lahore as well as any other authority relevant for the purpose and shall require the colleges as well as hospitals and other commercial entities operating on the jail road so that a plan can be devised for parking temporary as well as permanent, so that the traffic flow is not disrupted unnecessarily”.

Copy of the order dated 07.02.2020 is already Annexed as Annexure J.

Imposing of fine on Stubble Burning all across Punjab:

The Honorable Court's Orders in Sequence with operating parts are reproduced as follows:

1. The order dated **30.09.2019** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“Notice, Learned A.A.G accepts notice and shall seek instructions from the Secretary Environment as well as Environment Protection Department, Government of the Punjab with regard to the steps taken with regard to the installation of the technology by the brick kiln owners so as to stop in time the smog being accumulated



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



in the winter months. Also, an issue has been raised by the applicant regarding burning of the crops which is also a contributory to the smog”.

2. The order dated **30.01.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“With regard to stubble burning, Mr. Ijaz Majeed Deputy Director, EPA apprised this Court the actions taken in this regard by the Environment Department. It was admitted by the Deputy Director that stubble burning was a major source of smog during the winter season. For the purpose, mechanized methods will be put in place by the Govt. of the Punjab so that the farmers and agriculturists do not have to resort to stubble burning. Be that as it may, it is directed that the Environment Department shall ensure that the stubble burning activities are not carried out during the period starting early October and the implementation of the measures to forestall such acts by the farmers will be made in coordination with the other departments of the Govt. of the Punjab. A fresh report regarding said measures shall be placed before this Court by EPA within a period of one month”.

3. The orders dated **05.08.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“It has been mentioned a meeting was held with regard to the smog issue in which the Secretary Agriculture, Govt, of the Punjab and others were present. It was decided that the Environment Protection Department shall write a letter to the Home Secretary, Govt, of the Punjab for issuance of an order under Section 144 Cr.P.C prohibiting the stubble burning etc. However, it is directed that Water Commission shall hold a meeting at least once a week to oversee the entire issue and Environment Protection Department is directed to write a letter within the next three days on which the notification under Section 144 Cr.P.C shall be issued by the home Department. It has further been mentioned in the report that mechanized cutting of the stubble is also being undertaken by the Agriculture Department so that the farmers do not indulge in burning of crops which is a major cause of smog in the winter. This issue shall also be continued to be overseen by the Water Commission”.



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



4. The order dated **22.10.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“The Water Commission has filed the follow up report No. 70. The primary concern of the report is regarding stubble burning and it has been mentioned that despite regular meetings under the chairmanship of the Chief Secretary Punjab and the Water Commission the act of stubble burning is continuously unabated. According to the report the agriculture department is not fully compliant of the directions of this Court. For the purpose a joint meeting of the Water Commission shall be held with the Senior Member Board of Revenue Babar Hayat, Environmental Secretary and D.G Provincial Disaster Management Authority. The Secretary Agriculture shall also join the meeting. In that meeting the directions of this Court shall be placed before the participants of the meeting by the Water Commission and who shall also be impressed with the urgency of the matter. It has been reported that a press conference was held by these officers and listed the actions that the Provincial Government shall appoint to take. However, the officers attending the meeting will be apprised by the Water Commission that substantial steps have already been taken on the directions issued by this Court and any further actions shall be taken by the office's of the Provincial Government under the directions of this Court. On the last date of hearing it was also directed that PDMA shall work in clear liaison with the Water Commission. It is made clear that any further action in this respect shall be jointly taken by the officers of the Provincial Government duly nominated and the Water Commission and a report shall be placed before this Court on the next date of hearing. The meeting shall be held on Monday at a convenient time and the A.A.G shall convey this order to the officers who shall be required to attend the meeting. Thereafter a joint press conference shall be held by the officers as well as the Water Commission in which the Press shall apprised of the steps taken on the directions of this Court as also to give publicity to the clear directions regarding stubble burning over a period of time in the past issued by this Court. The A.A.G shall also make arrangements for the publication in the newspapers regarding directions issued by this Court with regard to the stubble burning. This publication shall be made during the next week for at least three consecutive days and will touch base with the relevant officer of the Govt. of the Punjab who shall ensure the publication to be made.”



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



5. The order dated **03.12.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“The learned A.A.G states that the funds for construction of Data Darbar ablution tank have been released and it is likely to be completed soon. The Director PDMA appeared and states that teams were constituted for making a survey as directed by this Court on the last date of hearing. It was indeed found that violations were being made by the farmers in respect of stubble burning. The team touched base with the Deputy Commissioner as well as D.P.O of districts Khanewal and Nankana Sahib etc. and were apprised that FIRs have been registered against the persons involved in stubble burning and some of them had also been arrested. However, since the offence was bailable. It was difficult to create a permanent deterrence to the people of these areas to restrain them from stubble burning. It seems that the registration of FIRs is not enough and it would be appropriate that further deterrence be created to dispel the people to indulging stubble burning which is rampant during this month and which seriously contributes to smog. For the purpose it is directed that a fine of Rs. 50,000/- shall be imposed by the Deputy Commissioner of the concerned district and shall be deposited in the account maintained with the PDMA and shall be utilized for the purposes of the activities and official business being carried out by PDMA. This shall be conveyed by the Director PDMA as well as A.A.G to the D.Cs of the districts of Punjab for compliance.”

Copy of the order is Annexed as Annexure M.

Copy of the order dated 30.01.2020 is already Annexed as Annexure B3.

Copy of the order dated 05.08.2020 is already Annexed as Annexure K.

Copy of the order dated 22.10.2020 is already Annexed as Annexure B4.

Copy of the order dated 03.12.2020 is already Annexed as Annexure B5.

Ban on Polythene Bags and levying of fine on its use:

The Honorable Court’s Orders in Sequence with operating parts are reproduced as follows:

1. The order dated **07.02.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



“This is an application for compelling Govt. of the Punjab to place an immediate ban on the manufacturing, sale and usage of polythene bags in the Province of Punjab. Learned counsel for the applicant refers to two orders passed by this Court which required the ban to be imposed. Be that as it may, notices are issued to the respondents on this application. In the first phase, it is directed that all major departmental stores and wholesale outlets shall take immediate steps to stop the use of polythene bags at their stores. For the purpose, a time of two weeks is granted in which alternate arrangement shall be made by these stores to shift to alternate modes. The EPA is directed to convey this order to all major stores in Lahore who shall display the terms of the order at a prominent place to make it known to the shoppers and customers. A compliance report shall be filed by EPA in this regard. The Deputy Director EPA apprised this Court that oxobiodegradable bags have been made compulsory by the department for compliance by the major departmental stores in the city. This has yielded substantial results. However, it is imperative that the polythene bags in all forms ought to be banned completely as they are a major source of biodegradation and environmental degeneration. According to the officer, various meetings have been held of all the stakeholders and a complete implementation of the proposed ban is likely to take some time”.

2. The orders dated **24.09.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“It was omitted in the last order that the ban on use of plastic bags has been extended in the whole of the Punjab. That order is being made today and a direction is issued to all concerned specially the Environmental Protection Department to enforce the ban at all cost. It is also ordered that the ban on the use of plastic bags shall be extended on the Motorways and for the purpose, E.P.D shall touch base with the Motorway police regarding service stations along the Motorways”.

3. The orders dated **22.10.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“Learned A.A.G has also placed on record the report of the D.G Environmental Protection Agency regarding implementation of this Court’s order of banning of plastic bags. The action taken in various directions has also been placed on record. It is directed that the action shall continue until the plastic bags are completely eliminated and a



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



report shall be filed after fifteen days by the E.P.A.”

4. The orders dated **11.12.2020** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“With regard to the action against use of polythene bags. It has been stated by the learned counsel for Water Commission that the sealing of the premises is not a sufficient deterrence and in addition thereto suggests imposition of fine be also allowed to be made on retail outlets who are using polythene bags. It is clarified that in case a retail outlet is found violating the directions of this Court a certain period of time of one week should be given to that outlet to comply with the directions of this Court and thereafter the process of sealing should be done. Also the officers of Environmental Protection Agency shall be empowered to impose a fine between Rs.5000/ to Rs.20000/- on any retail outlet found involved in the violation.”

Copy of the order is Annexed as Annexure N.

Copy of the order dated 07.02.2020 is already Annexed as Annexure J.

Copy of the order dated 22.10.2020 is already Annexed as Annexure B4.

Copy of the order dated 11.12.2020 is already Annexed as Annexure B6.

Restraining from Cutting of tress/orchards:

The Honorable Court’s Orders in Sequence with operating parts are reproduced as follows:

1. The order dated **02.04.2021** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“It is further directed that till the next date of hearing, no further trees shall be cut down by any of the sponsors, which intend to set up a housing society on and land either in their entitlement or any other till the next date of hearing. This order shall be conveyed by the learned Addl. A.G as well as Asst. Attorney General present in Court to the relevant authorities”.



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



Copy of the order is Annexed as Annexure O.

Data Collection of Industrial Units to control excessive emission of smoke:

The Honorable Court's Orders in Sequence with operating parts are reproduced as follows:

1. The order dated **24.02.2021** by the Honorable Lahore High Court passed in W.P.No. 227807/2018 titled Haroon Farooq Vs G.O.P. etc. is reproduced as follows:

“Mr. Usman Naeem IGC/NGO has appeared and states that significant progress has been made for installation of the instruments in the steel and textile industries in and around Lahore. It is directed that Mr. Usman Naeem shall hold a meeting with learned Addl. A.G Mr. Anis Ali Hashmi and apprise him of the next steps to be taken and if at all there are any impediments in the way, learned Addl. A.G shall contact the relevant Government Department for easing out the process so that it can be expedited. Learned Addl. A.G shall also initiate steps so that Mr. Usman Naeem can also have a meeting with the Secretary Agriculture as there are certain important suggestions which are necessary to be shared with the Secretary in respect of control of stubble burning in the Province of Punjab.”

Copy of the order dated 24.02.2021 is already Annexed as Annexure B7.

Cooperation of Government Departments:

It is of vital importance to mention here that such remarkable achievements which have been canvassed due to the Honorable Court's vision could not have manifested without compliant attitude of various departments. That amongst all departments WASA Lahore was ordered to facilitate the daily needs of the Commission, as the office of the same resides itself at WASA Headquarters Lahore. It is worth appreciating that MD WASA, Mr. Syed Zahid Aziz has given full facilitation in this regard in every possible way.

It is worth appreciation that amongst the law officers of the Advocate General Punjab office, Mr. Syed Anis Ali Hashmi (Addl. A.G) has facilitated to the fullest in compliance of the orders and direction issued by the Honorable Court and the Commission.



JUDICIAL WATER & ENVIRONMENT
COMMISSION LAHORE.



Most importantly the team of the Judicial Water and Environmental Commission including Mr. Syed Kamal Ali Haider (Legal Counsel/ Focal Person JW&EC), Mr. Ali Ijaz (Deputy Director EPD/ Focal Person of JW&EC) and Mr. Farhan Saeed (Asst. Director Incharge Office of the JW&EC) have given their unflinching dedication to the work of the Commission.

In order to examine in detail, the various projects aforementioned, copy of three (03) booklets titles “Judicial Water Commission” are being attached with the report for kind perusal.

Through

Aakbar

**Chairman Judicial Water Commission
Justice (Retd.) Ali Akbar Qureshi**