

Form No:HCJD/C-121
ORDER SHEET
IN THE LAHORE HIGH COURT, LAHORE
JUDICIAL DEPARTMENT

Case No. W.P No.227807/2018

Haroon Farooq Vs Govt. of the Punjab etc.

S.No.of order/ Proceeding	Date of order/ Proceeding	Order with signature of judge, and that of parties or counsel, where necessary.
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02.10.2020 Mr. Abuzar Salman Khan Niazi, Advocate for the petitioner.
Syed Kamal Ali Haider, Advocate for the Commission.
Mr. Anis Ali Hashmi, Addl.A.G.
Mian Irfan Akram, Advocate for WASA.
Mr. Zahid Sikandar, Asst. Attorney General.
Sahibzada Muzaffar Ali and Mr. Amir Saeed Rawn, Advocates for LDA with S.M Imran, Vice Chairman, LDA.
Mr. M. Azhar Siddique, Advocate for applicant.

C.M No.26 of 2020

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 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 to those public transport vehicles which are unfit for being plied on the roads and are emitting hazardous

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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.

2. 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

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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.

LDA:

3. 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 tater 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 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.

Anti-Smog Towers:

4. 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

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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 filed by D.G PCSIR within the next one month.

5. To come up for further proceedings on **09.10.2020.**

Sd.
(SHAHID KARIM)
JUDGE

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Rafaqat Ali

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