

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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1 D.12.2020	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 with M.D WASA. Mr. Zahid Sikandar, Asst. Attorney General. Sahibzada Muzaffar Ali and Mr. Amir Saeed Rawn, Advocates for LDA with D.G. LDA. Mr. M. Azhar Siddique, Advocate for applicant.
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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 action has 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. It has also been brought forth that action has been initiated against illegal housing schemes as well as the consumption of water by these housing schemes with payment of aquifer charges. Further report shall be submitted on the next date of hearing. Learned Addl. A.G submits that a summary has been submitted to the C.M Punjab as directed by this Court regarding the

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recovery of aquifer charges on the directions of this Court. Learned Addl. A.G has placed on record the letter dated 5.12.2020 addressed to all Deputy Commissioners in Punjab regarding imposition of fines on persons involved in stubble burning. It is directed that the imposition of fine shall be made pursuant to this letter by the Deputy Commissioners concerned in case any person is found involved in stubble burning apart from other actions which are normally taken under the law.

2. 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.

3. Learned Addl. A.G has placed on record a notification issued by the E.P.A regarding

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constitution of a team for visiting sugar industries set up in the area of Sargodha, Bhalwal on the allegation that they are involved in pollution of the groundwater 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. Report shall be submitted before the next date of hearing in this regard.


C.M No.45 of 2020

4. The compliance of the matter agitated in this application has been made according to the learned Addl. A.G. and this application is disposed of accordingly.

C.M No.43 of 2020

5. Learned counsel for LDA has appeared and seeks some time to file a reply to this application which shall be done before the next date of hearing.

6. To come up for further proceedings on 17.12.2020.


(SAJID KARIM)
JUDGE

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