

ORDER SHEET**IN THE LAHORE HIGH COURT LAHORE
JUDICIAL DEPARTMENT**Case No. **W.P. No.227807 of 2018**

Haroon Farooq

Versus

Government of 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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11.11.2022M/s. Syed Kamal Ali Haider and Hina Hafeezullah Ishaq,
Advocates/Members of the Judicial Water Commission.

Mr. Zain Sheikh, Advocate for the petitioner.

M/s. Muhammad Azhar Siddique, Talaat Farooq Sh. and
M. Yasin Hatif, Advocates for the petitioners in connected
petitions.Mr. Tipu Salman Makhdoom, Addl. Advocate General,
Punjab along with Dr. Assad Malhi, CTO Lahore, Nawaz
Manik, Director (Law) EPA, Ali Ejaz, DD EPA, Shahzad
Khan, SPP City Traffic, Shahid Anjum Minhas, Chief
Town Planner, LDA and Umer Hayat, Law Officer.

Mr. Asad Ali Bajwa, Dy. Attorney General.

Sahibzada Muzaffar Ali, Advocate for respondents-LDA.

Mr. Shazib Masud, Advocate for respondent-LCBD.

Mr. Waqar A. Sheikh, Advocate for respondent-PHA.

M/s. Mian Irfan Akram and Mohsin Mumtaz, Advocates
for respondent-WASA.M.A. Ghaffar ul Haq, Advocate for applicant in C.Ms.
No.10 and 11 of 2022.**Office Obj. No.168964 of 2022**

Objection overruled. Let the applications be
numbered and fixed for hearing for today.

C.M Nos.21 & 22 of 2022

Notice. The learned Additional Advocate

General shall seek instructions before the next date of
hearing. Till the next date of hearing, no further
proceedings shall be conducted pursuant to any
purported notification made under section 4 of the
Land Acquisition Act, 1894. The Chief Conservator,
Forest Department shall also appear on the next date
of hearing. The Chief Engineer of the area shall also
appear on the next date of hearing.

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C.Ms. No.17, 18, 19 and 20.

2. Notice. The officer representing the PHA shall obtain instructions and inform this Court on the next date of hearing.

Main Case

3. Report has been filed by the Commission. In that report instances of stubble burning have been narrated. According to the Member of the Commission maximum violations have occurred in District Jhang. Learned Addl.A.G shall contact Deputy Commissioner, Jhang to apprise him of the situation and to press upon him the need for controlling the violations otherwise action shall be taken against D.C Jhang.

4. The Commission has also filed a report of arsenic contamination in Punjab which raises issues of arsenic content in different areas of Punjab such as areas within District Kasur and Sahiwal. It has been stated in the report that some of the villages of Kasur are severely contaminated with high level of arsenic in drinking water. This is based on a report prepared by the Regional Water Quality Laboratory, Lahore. The Members of the Commission inform that the consultants by the names of Water Aid as well as WWF have been taken on board to advice the Commission regarding arsenic contamination. Further the Members shall contact the Chief Executive Officer

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of Punjab Aab-e-Pak Authority to explore the means for providing safe drinking water to the people of the area pointed out in this report.

5. The report refers to the need for installation of scrubbers by the industries especially steel mills and re-rolling mills. A representative of EPA agrees that scrubbers ought to be installed to control pollution and to conform with the environmental standards. It has been informed that out of at least 600 industries a fraction of those industries have installed scrubbers. It is directed that EPA shall ensure the installation of the scrubbers on priority basis. It is further directed that the Committee constituted by the Deputy Commissioner, Lahore shall act conjointly with the staff of the Commission to act as third party validation. ✓

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6. Learned Addl. A.G shall arrange a meeting of the Members of the Commission with the Agriculture Minister so that the projects for exploring alternate means may be discussed in order to control stubble burning and to put an end to it completely. It is hoped that the Agriculture Minister, Govt. of the Punjab shall take the lead in the matter and issue necessary directions to enable alternate use of methods in this regard.

7. EPA shall also ensure that cameras are installed in all the industries in and around Lahore so that every

time monitoring can be done by the Commissions as well as by the PDMA. The Director Law, EPD has informed that a correspondence is being exchanged with the Finance Ministry for funds to equip the EPD with all necessary tools and machinery to effectively monitor the pollution and smog. Learned Addl. A.G shall seek instructions from the Secretary Finance Govt. of the Punjab and inform this Court on the next date of hearing so that funds on emergency basis may be allocated for areas of priority so that effective monitoring can be done by EPD. Secretary Environment has filed a report in which the measures sought to be taken have been mentioned as also correspondence has been attached which shows that the matter has been taken up with the Finance Ministry where it is pending decision.

8. The Deputy Commissioner, Sheikhpura has filed a consolidated report of anti smog activities within District Sheikhpura. The report shows effective action taken to control stubble burning and as regards pyrolysis plants. It also refers to the fine that has been imposed and recovered for different violations by the industries, brick-kiln, stubble burning etc.


9. PHA informs that the public is facing serious problem for parking of vehicles while visiting Greater Iqbal Park, Lahore. He has put forth no reason as to why the parking has been closed for the general public

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who intend to visit the Greater Iqbal Park. It is directed that parking areas which have been shut down shall be opened forthwith to the general public for parking purposes. The fee which previously was being levied by PHA may be imposed by PHA so that only visitors to the Park may use the parking facilities.

10. To come up for further proceedings on 18.11.2022.


(SHAHID KARIM)
JUDGE

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Rafiqat Ali

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Labore High Court & Lahore
13/4/23