

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

Case No. W.P. No.227807/2018

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.
---------------------------------	---------------------------------	--

15.10.2021 Syed Kamal Ali Haider, Advocate for Judicial Water Commission.
M/s Ahmad Rafay Alam, M. Azhar Siddique, Sheraz Zaka, Naila Iqbal and M. Yasin Hatif, Advocates for the petitioners in connected petitions.
M/s Shezada Mazhar, M. Jawwad Khan Lodhi and Syed Samir Sohail, Advocates for DIIA, Multan.
Barrister Osama Zafar, Advocate for applicant in C.M.No.04/2021.
Mr. Amer Riaz Amir Minhas Advocate for the respondent in C.M.No.04/2021.
M/s. Mansoor Usman Awan and Barrister Hamza Shehram Sarwar, Advocates in C.M.No.06/2021.
Mian Irfan Akram, Advocate in C.M.No.08/2021.
Mehar Abid Hanif, Advocate in C.M.No.32/2020.
M/s Ahmad Rafay Alam, M. Azhar Siddique, Sheraz Zaka and M. Yasin Hatif, Advocates for petitioners in connected petitions.
Mr. Sahibzada Muzaffar Ali, Advocate for the LDA.
M/s. Nadeem Ahmad Sheikh, Jahanzeb Sukhera and Osama Qamar, Advocates for RUDA.
Mr. Ashtar Ausaf, Advocate in C.M.No.34/2020.
Sardar Balakh Sher Khosa, Advocate for Cantonment Board.
Syed Samir Sohail Advocate for DHA, Multan.
Mr. Ahmad Pervaiz Advocate in C.M.No.10/2020.
Mr. Arslan Riaz, Advocate for the respondent-PEPSI.
M/s. Asad Ali Bajwa and Ehtsham Ahmad, Deputy Attorney General.
Mr. Anis Ali Hashmi, Addl.A.G with Zafar Nasrullah Khan ACS (Home).
Muhammad Nawaz Manik, Director Law EPA and Miss Nabila Khalid, A.D (Legal), EPA and Kashif Sajjan Assistant Legal EPA.

ATTESTED
Examiner
Copy Supply Section
Lahore High Court, Lahore

2

Report No.100 has been filed by the Water and Environmental Commission in which it has been mentioned that the Environmental Protection Agency has initiated action against smog emitting industries as well as vehicles, details of which has been given in para 1 and 2 of the report. E-challans, according to the learned counsel, are also being issued in respect of smog emitting vehicles, however, there is no separate account for deposit of these challans. The Secretary Finance is directed to create a separate head of account to deposit the moneys which are being collected on the directions of this Court.

2. In para 4 of the report it has been stated that although large number of brick kilns have been converted, yet there is violation of the orders of this Court regarding operation of these brick kilns to the zig zag technology whereas number of brick kilns are still operating on the old process. A general direction is issued to all the Deputy Directors Environment in the Districts of Punjab to undertake steps for putting a stop to the operation of brick kilns on old technology. The Commission is also directed to oversee the entire process and it is made clear that in case any violation is found within territorial jurisdiction of any particular Deputy Director Environment, the said officer will be held in

ATTESTEDExaminer
Copy Supply Section
Lahore High Court, Lahore*h.*

contempt of this Court's order. This order shall be conveyed by the learned Additional Advocate General to all the Deputy Directors Environment in the Districts of Punjab. Learned counsel has also placed minutes of the meeting of the Commission held on 08.10.2021 in which Secretaries of the various Departments of Government of Punjab participated and it was resolved that the Deputy Commissioners across the Punjab shall impose fines on stubble burning and will be responsible for the implementation of this Court's order. The Secretary Agriculture is directed to ensure compliance of the orders of this Court and to closely monitor the situation regarding stubble burning and to take strict measures in lieu of the orders passed by this Court in case of breach by any person who is found to indulge in stubble burning. It was decided in the said meeting that Agriculture Department shall monitor the situation on a daily basis and shall inform the Deputy Commissioners and respective Assistant commissioners for the purpose of imposing fines and registration of FIRs. A report shall be furnished to this Court by the Water and Environmental Commission on the next date of hearing.


3. Lastly learned Commission has apprised this Court that the vehicle which was provided for use by the officers of Government of Punjab with regard to the

ATTESTED
Examiner
Copy Supply Section
Lahore High Court, Lahore

implementation of this Court's orders issued from time to time has deteriorated to such an extent that it is impossible to carryout directions effectively. In this regard WASA shall initiate steps for the procurement of a vehicle specifically for the purpose in accordance with the rules expeditiously so that separate vehicle may be made available to the officers carrying out directions of this Court and for the Commission to have work efficiently.

4. Adjourned to 21.10.2021.


(SIR HUSSAIN ARIF)
JUDGE


21/10 Abdul Waheed

ATTACHED
Copy Supply Section
Lahore High Court, Lahore