

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 & others

S.No.of order/ Proceeding	Date of order/ Proceeding	Order with signature of judge, and that of parties or counsel, where necessary.
------------------------------	------------------------------	------------------------------------------------------------------------------------

16.09.2022	Syed Kamal Ali Haider, Advocate/ Member Water Commission. Mr. Waqar A. Sheikh, Advocate for PHA. Sahibzada Muzaffar Ali, Advocate for LDA. Mr. Muhammad Azhar Siddiq, Advocate for the applicant. Mr. Irfan Akram, Advocate for WASA. Mr. Asad Ali Bajwa, D.A.G. Mr. Tipu Salman Makhdoom, Addl. A.G.
------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Report regarding implementation of the orders of this Court has been filed by the Commission. Firstly, it refers to the notices issued to the sugar industry and the follow up steps taken by the Commission for compelling the sugar industry to install waste water treatment plants at their industrial units. Out of 22 industrial units 15 have submitted their fortnightly progress report at the office of the Commission for compliance of the orders regarding installation of treatment plants. Further notices were issued by the Commission to 20 new industrial units for installation of waste water treatment plants and the hearing was also conducted. Out of these units two have already installed plants and 13 have tendered their affidavits for compliance of installation of the plants. The report also refers to the meeting held with the Secretary Environment regarding various issues confronting the city of Lahore and Province of Punjab. A special concern was raised by the Secretary Environment regarding pyrolysis plant owners where the owners revert to the operation of these plants and it has

ATTESTED  
Copy Supply Section  
Lahore High Court, Lahore

2



become necessary that stringent action be taken against these plants which continue to omit pollutants and are operating illegally. Three directions are sought to be issued by this Court regarding this issue. Firstly CCPO, Lahore is directed to ensure that EPA is facilitated by providing police squads during the course of anti smog operation being conducted by the anti smog squads. This order shall be conveyed by the learned Addl.AG to the CCPO, Lahore. Any such action shall be taken with prior information to the relevant police station and CCPO, Lahore shall issue directions to all the police stations within his jurisdiction to ensure that security is provided to the anti smog squads set up by EPA. Further a direction is issued to the Prosecutor General, Punjab to issue directions for the expeditious disposal of cases pending before the courts in the context of FIRs lodged by EPA or where the EPA is the complainant. Further LESCO is directed to disconnect the electricity supply to pyrolysis units which are operating illegally and without obtaining NOC from EPA or EPD during smog season. This direction shall be conveyed to the CEO LESCO by learned D.A.G who is present on Court's call.

2. Learned Addl. A.G shall also seeks instructions from Secretary Environment regarding RUDA project in the wake of recent floods and rains which have been induced by climate change and which is also now part of a study conducted by the World Weather Attribution (WWA) which has found compelling evidence of climate change exacerbating recent devastating floods and heat wave earlier this year. It may be recalled that the projections regarding

ATTESTED  
Examiner  
Copy Supply Section  
Lahore High Court, Lahore

B



RUDA project were based on past calamities and did not take into account the impact which devastating floods and rains could have owing to climate change. It would be expedient that reassessment of the entire project may be conducted again on the basis of future projections involving all stakeholders. The Secretary Environment shall undertake a feasibility report and place it before this Court on the next date of hearing without being influenced by any considerations of political nature in this regard.

3. The report also places on record the steps taken for buses to be used for transportation of children to schools. As many as 121 buses have been made operational by the private schools. However, the Commission shall require the concerned department to issue a proper notification in this regard compelling the private schools to shift as many children as possible to buses for the purposes of commuting between their homes and schools. Further the department should depute a focal person to follow up by the compliance in this regard in private schools.

4. A comprehensive report has been filed by PHA which shows different steps taken regarding roof top gardening horticulture plan of finance trade centre Johar Town and the action against encroachments which is commendable. Learned counsel for PHA informs that letters have also been written to CCPO Lahore for providing police support to the anti encroachment squads of PHA but to no avail. Learned Addl. A.G shall ensure that CCPO passes a proper order on the letters written by PHA last of which was written on 14.9.2022. Learned counsel for PHA requests that a squad

Cop.  
Lahore High Court, Lahore

h



of police officers be placed at the disposal of PHA for which expenses shall be borne by PHA. This force which will be at the disposal of PHA will accompany the teams which have been constituted for removal of encroachments in green areas, green belts and against illegal billboards. This aspect is crucial in making Lahore green and environmentally friendly. It is directed that CCPO shall pass an order in this regard. Learned counsel for LDA informs that meeting of the Authority is convened during the next week in which amounts shall be allocated for being disbursed to PHA so that PHA can undertake the works around Expo Centre regarding green belts as also development of parks which has been long delayed on account of lack of funds. Further progress shall be placed on record on the next date of hearing.

5. Learned Addl. A.G shall inform the D.G Walled City regarding presence of counsel on behalf of Walled City on the next date of hearing regarding matters which concern Walled City Authority.

6. It has also been informed by one of learned counsels that Panahgah is being set up at Taksali. Learned Addl. A.G shall seek instructions in this regard. Till the next date of hearing all works being carried out in this regard shall be stayed forthwith.

7. The Commission shall also hold a meeting with PCB regarding previous orders of this Court to ascertain the steps taken by PCB for making the future events environmentally friendly and to demonstrate the corporate social responsibility of PCB. More particularly since for security

ATTESTED  
Copy Examiner  
Lahore High Court, Lahore

h



purposes the generators are being operated throughout the night which is major source of pollution and the manner in which this could be curtailed by PCB.

8. EPA has also filed its report in which it has been informed that a notification dated 26.8.2022 has been issued constituting anti smog squads to prevent the air pollution in their areas. The actions taken by these squads have also been placed on record which include action against industrial units working without inefficient emitting control system.

9. A report has also been submitted by SSP/ Legal for CCPO, Lahore which states that no application from LDA has been received regarding de-sealing of properties by the owners. Learned counsel for LDA shall touch base with the learned Addl. A.G in this regard and inform him regarding specific compliance and the Addl. A.G shall ensure that these complaints are followed up by the respective police stations and copy of which shall also be conveyed to the office of CCPO, Lahore for necessary action.

10. Adjourned to 23.09.2022.

ATTESTED  
Examiner  
Copy Supply Section  
Lahore High Court, Lahore  
10/4/23

★

Rafaqat Ali

  
(SHAHID KARIM)  
JUDGE