

For 21
OF
IN THE LAHORE COURT LAHORE
JUDICIAL ATMENT

Case No. 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.
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23.12.2021

Mr. Faizullah Khan Niazi, Advocate for the
petitioner.

Syed Kamal Ali Haider, Advocate for Judicial Water
Commission.

M/s Ahmad Rafay Alam, M. Azhar Siddique, Sheraz
Zaka and M. Yasin Hatif Advocates for petitioners in
connected petitions.

Mr. Muhammad Imran Malik, Advocate for the
applicant.

Mr. Waqar A. Sheikh Advocate for PHA.

Mian Irfan Akram, Advocate for WASA.

Mr. Shezada Mazhar Advocate for DHA, Multan.

Mr. Sahibzada Muzaffar Ali, Advocate for the LDA.

Sardar Balakh Sher Khosa, Advocate for Cantonment
Board.

Mr. Ehsan Ullah Manj Advocate for Walton Cantonment
Board.

Mr. Iftikhar Ahmad Mian Advocate for MCL.

Rao Javed Khurshid, Assistant Attorney General.

Mr. Anis Ali Hashmi, Addl.A.G with Abdul Razzaq
Chohan, Chief Engineer TEPA and Muhammad Nawaz
Manik, Director Law EPA.

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Learned counsel for Water and Environmental
Commission has submitted the report in which firstly it
has been brought forth that a meeting was held under
the directions of this Court regarding traffic plan for the
upcoming PSL tournament being conducted by Pakistan
Cricket Board. Certain measures were proposed by the
Chief Traffic Officer as well as Commissioner Lahore to

regulate vehicular traffic during the holding of matches in those days. That will also be placed further before the Cabinet sub-committee and the final report shall be submitted regarding consolidated traffic management plan on 30.12.2021 before the Commission appointed by this Court. It is directed that any decision taken in that meeting will be submitted before this Court on the next date of hearing. Report further refers to the inspection conducted for the control of brick kilns operating on old system as well as control of stubble burning. Further action regarding smog emitting vehicles has been stated in the report according to which concerted and sustained effort is being made to control and impound the vehicles which are emitting smog beyond the permissible standards. Report further mentions the fact that 295 industrial units were sealed for emitting excessive smog and particulate matter and complete chart has been annexed with this report as also has been mentioned in para 10.

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2. The Commissioner Lahore has constituted anti-smog squads and the report also refers measures taken by all of these squads constituted by the Commissioner. It is directed that the squads constituted by the Commissioner shall continue to perform their functions

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which will go a long way to control the problem of smog being faced by Lahore.

3. Report has been filed by the Parks & Horticulture Authority to highlight various steps taken by PHA to reduce environmental pollution and for plantation of trees. Firstly it has been stated that Miyawaki Urban Forest has been planted at different places in Lahore and which grows 10 times faster than conventional plantation and has 30 times better CO₂ absorption. Various benefits of this plantation have been brought forth which is commendable step on the part of PHA. With regard to green roof on high rise buildings, it has been stated that various cities across the world are adopting these measures in order to control heat which is a major cause of environmental pollution and causes a number of deaths because of excessive heat during the year. For the purpose, it has been proposed that direction may be issued to various development authorities including LDA, DHA and Cantonment Boards for making rules in this regard and for coordination with PHA who can lend expert advice on the entire issue.

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4. Learned counsel for the LDA is present in the Court and informs that regulations have already been formulated in this regard. These regulations shall be

placed on the record on the next date of hearing and shall be studied by a nominee of LDA and a nominee of PHA who shall submit their reports on the next date of hearing. Learned counsel for PHA shall also inform regarding rehabilitation and restoration of major parks in Lahore. A plan shall also be submitted in this regard. Learned counsel for PHA shall also coordinate with the learned counsel for the applicant who had referred to rehabilitation of park close to banking courts.

5. Learned counsel for LDA has placed on the record a report which shows that the committee has been regularly meeting and has proposed certain measures which need to be taken in order to reduce vehicular emission and in turn to reduce the smog. The Chief Engineer TEPA, present in the Court, is required to submit a report regarding firstly realignment of different roads across Lahore as well as study the structural plan which was prepared by JAICA. Report shall be submitted by the committee constituted for the purpose before the next date of hearing. A directive dated 22.12.2021 has also been placed on the record which shows that a direction has been issued to different channels in terms of Section 20 of the Terms & Conditions of the License as well as different provisions of PEMRA Amendment Act, 2007 and the Rules there to

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for dissemination of public service message in relation to smog. Learned Assistant Attorney General, present on Court's call, shall ensure that PEMRA follows up on this letter and the channels are obliged to create awareness by public service message in terms of this directive. A report shall be filed by PEMRA in this regard.

6. Mrs. Hina Hafeezullah Malik, Advocate present on Court's call, has informed that staff and employees of LWMC are indulging in burning garbage and plastic bags which is a huge contributor to the pollution in Lahore. Learned Addl.A.G shall touch base with the Chief Executive Officer of LWMC who shall pass a direction to the staff to stop this practice forthwith. A report shall be filed on the next date of hearing before this Court.

7. Compliance report has been submitted on behalf of I.G Motorway Police in which it has been stated that 52 points/booths have been established on different locations on motorway in order to cater for M-tags to be issued. During the period from 07.12.2021 to 21.12.2021, 124187 m-tags have been installed on different vehicles. The directions issued by this Court in this respect shall continue. The I.G Motorway shall ensure that by way of permanent solution regulations are framed for this purpose which can be enforced on its


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own by the motorway police. A report shall be filed on the next date of hearing. Adjourned to 28.12.2021.

C.M.No.17/2021

8. Notice. The Lahore Parking Company shall submit a report regarding contents of this application. Learned Addl.A.G shall inform Lahore Parking Company regarding this application.


(SHAHID KARIM)
JUDGE

Abdul Waheed

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