

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.
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24.02.2022

Mr. Abuzar Salman Khan Niazi, Advocate for the petitioner.
Syed Kamal Ali Haider and Ms. Hina Hafeezullah Ishaq, Advocates/Members of the Judicial Water Commission.
Mr. M. Azhar Siddique and M. Yasin Hatif Advocates for petitioners in connected petitions.
Mr. Akif Majeed, 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 and Afsar Raza Khan, Advocates for the LDA.
Mr. Altaf ur Rehman Khan Advocate for DHA.
Pir Moammar Hussain Rasool Advocate for Cantonment Board.
Mr. Ahmed Pervaiz Advocate for the applicant.
Mr. Ehsan Ullah Manj, Advocate for Walton Cantonment Board.
Mr. Asad Ali Bajwa, Deputy Attorney General.
Mr. Anis Ali Hashmi, Addl.A.G. Salman Alam Khan, A.A.G with Chief Engineer TEPA and Muhammad Nawaz Manik, Director Law EPA.
Mr. M. Umer Hayat Law Officer on behalf of Commissioner Lahore Division.
Mr. Ali Ejaz Deputy Director EPA

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The Members of the Judicial Water and Environmental Commission have filed report No.119 in which they have referred to the letter dated 21.02.2022 written to the various Departments of the Government of Punjab regarding environmental degradation, polluting of natural resources and physical environment

etc which also includes unchecked solid waste, refuse, litter and garbage in the Province of Punjab. Further the report gives an update of the issue regarding sugar industries effluent treatment plants. A snapshot has also been given as annexure 'G' with this report which shows the progress made by the sugar industries on this aspect. It is hoped that this issue will be taken to its logical conclusion with active intervention of the members of the Commission. Further report shall be filed on the next date of hearing. Reference has also been made to a letter dated 16.02.2022 addressed to the Director General, EPA regarding environmental violations in Punjab. A report has also been filed by the Cooperatives Department which shall be considered by the Members of the Commission and a further report in this regard shall be filed on the next date of hearing.

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2. Learned counsel for LDA/TEPA has informed that a full time Magistrate has started carrying out judicial functions at the premises of TEPA which has greatly facilitated the disposal of cases regarding challans of encroachers. The focal person of Chief Traffic Officer, Lahore has informed that although operation is conducted against the encroachers, yet the encroachments are surfaced after some time which is not a permanent solution to the problem. It is directed that

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the learned counsel for LDA shall provide a list of area wise officers who are responsible for operations regarding encroachments. The Members of the Commission shall monitor the encroachments and in case it is brought to their knowledge by any source including focal person of CTO that encroachments have again set up on the areas which were cleared then action shall be taken against the officers responsible for that specific area. This order shall also be conveyed to those officers by the LDA and the concerned Department. Further it has been informed that barriers have been erected at different places by private persons. The officers of LDA are directed to take action in this regard and remove barriers forthwith and a report shall be submitted on the next date of hearing.

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3. Learned counsel for LDA has also stated that MCL is required to seek permission from LDA and its relevant department regarding any constructions being undertaken within their jurisdiction which has been discontinued. In this regard LDA shall write a letter to MCL and which shall be placed on the record before this Court.

4. With regard to rooftop gardening, it is informed by the Members of the Commission that different propositions are being considered and further report

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shall be filed before the next date of hearing. This is also supported by the learned counsel for LDA who states that the persons and entities to whom notices were issued for rooftop gardening have signified their consent to do so with the active support of PHA.

5. Adjourned to 03.03.2022.


(SHAHID KARIM)
JUDGE

Abdul Waheed

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