

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 etc.

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

26.11.2020 Mr. Abuzar Salman Khan Niazi, Advocate for the petitioner.
Syed Kamal Ali Haider, Advocate for the Commission.
Mr. Anis Ali Hashmi, Addl.A.G.
Mian Irfan Akram, Advocate for WASA with M.D WASA.
Mr. Zahid Sikandar, Asst. Attorney General.
Sahibzada Muzaffar Ali and Mr. Amir Saeed Rawn, Advocates for LDA with D.G, LDA.
Mr. M. Azhar Siddique, Advocate for applicant.

The report No.75 has been filed by the learned counsel for Water Commission regarding directions issued by this Court in which various steps regarding the control of smog by different authorities and departments has been given. It contains the daily smog situation report submitted by PDMA as also the progress report of LDA. This report is placed on record and it is reiterated that the action against smog emitting vehicles, stubble burning and brick-kilns shall continue unabated and without any let up pursuant to the earlier directions issued by this Court.

2. The D.G LDA has appeared and states that at least 217 housing societies have been identified to whom notice have been issued. He submits that pressure is being brought to bear on the department regarding action taken in respect of these societies

ATTESTED
Examined
Copy & Filed Section
Lahore High Court, Lahore

17

which not only use the underground water aquifer without payment of any charges but also are unregulated in various respects. It is noted that earlier the Chief Secretary Punjab had already given an assurance that all public officers associated with these proceedings which are eminently in the public interest will not be transferred without informing this Court and for imminent reasons only. The Chief Secretary is directed to ensure that D.G LDA has complete leavay in fulfilling the assignments with which he has been tasked by this Court without any hindrance and pressure being brought upon him from any quarter. He shall not be transferred during the period while he undertakes this assignment for which he has been specially directed by this Court to do so.

3. Learned counsel for the Commission informs that Data Darbar Project is not being completed despite clear directions of this Court. Learned A.A.G shall inform this Court through a report the current position of Data Darbar project and clear timeline within which it will be completed.

4. Also the learned counsel for the petitioner informs that stubble burning continues unchecked and which is contributing to the smog in the atmosphere. This is despite clear directions issued by this court with regard to the stubble burning and the obligations of Deputy Commissioners of the

ATTESTED
Examiner
Copy Supply Section
Lahore High Court, Lahore

h

districts to control this practice. The stubble burning has been noticed along the Lahore-Sialkot Motorway as well as Lahore-Multan Motorway. D.G PDMA shall appoint a team of officers to visit these areas and to take punitive action through the offices of the DCs of the concerned districts as well as the D.P.Os and shall file a report before the next date of hearing.

5. Learned A.A.G has also placed on record a report submitted by D.C Shiekhupura and Kasur regarding the action taken to curtail smog and against the persons involved in stubble burning. These reports are placed on record and it is directed that D.Cs concerned shall take effective measures to ensure that stubble burning does not continue at any cost.


6. Lastly, the Chairman Water Commission shall hold a press conference in the next couple of days. He shall be accompanied by D.G PDMA as well as D.G Environmental Protection Agency and the steps taken by the Commission on the directions issued by this Court shall be apprised to the Press and which will be widely circulated so that the people generally come to know of the various directions issued by this Court as also the fact that the entire action is being perpetrated on the directions of this Court which has nudged different departments of the Government to

ATTENDED
Examiner
Copy Section
Lahore High Court

W

initiate various actions regarding smog, stubble burning and closure of brick-kilns for two months.

7. To come up for further proceedings on
03.12.2020.


(SHAHID KARIM)
JUDGE

★

Rafaqat Ali

ATTESTED
Examiner
Copy Supply Section
Lahore High Court, Lahore