

ORDER SHEET**IN THE LAHORE HIGH COURT, LAHORE
JUDICIAL DEPARTMENT**

Case No. W.P No.227807/2018

Haroon Farooq Vs Government 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.
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31.10.2019

Presence as before.

Tanvir Warraich, D.G Environmental Protection Agency.

The report has been filed by the Water Commission in which it has been brought forth that the Defence Housing Authority (DHA) is not remitting the aquifer charges and therefore notices shall be issued to Mr. Sibtul Husnain, Advocate the learned counsel for DHA who shall appear on the next date of hearing to explain the circumstances in which DHA has refused to remit the aquifer charges to WASA.

2. The issue of smog was dealt with on the last date of hearing and a meeting chaired by the Chief Secretary, Punjab was also brought to the notice of this Court in which it had been decided that the brick-kilns operating on the old technology shall not be permitted to operate from 1st of November, 2019.

However, in recent days the condition of smog has deteriorated to an alarming extent. In one report released by an international agency, Lahore has been declared to be the most polluted city in the world.

Tanvir Warraich, D.G Environmental Protection

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Agency is present in the Court and has alluded to the various reasons for smog and pollution which have afflicted the city of Lahore. Primarily according to him stubble burning / crop burning is one of the major causes of smog which has accumulated in the atmosphere. However, he also refers to various other factors such as the burning of fuel by the factories located inside and around Lahore which contributes to the environmental pollution and which are being run and operated unchecked. In this regard, he states that certain measures are being taken by Environmental Protection Agency but it seems that they are not enough. Also he has submitted that the implementation of orders regarding crop burning is within the remit of Agriculture Department which is most of the time dragging its feet on the said issue. The proceedings in this Court today have convinced this Court that it is imperative to put in place certain measures for dealing with the issue of pollution which has assumed alarming proportions in the recent days. It is likely to worsen in the coming days and must be dealt with on emergency basis. For the purpose, the Commission appointed by this Court is also designated as the Environmental Commission. The Commission shall firstly ensure that a report is prepared which enumerates the precise reasons for the cause of pollution in Lahore. For the purpose,

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D.G Environmental Protection Agency shall be part of the Commission and shall coordinate in all respects with Mr. Justice (Retd.) Ali Akbar Qureshi, Chairman of the Environmental Commission. It is directed that all departments of the Govt. of the Punjab shall render proper assistance to the Commission in the discharge of its functions and all proceedings taken by the Commission shall be deemed to have been authorized by this Court. The Commission shall take all measures which are imperative for putting a stop to further contribution to pollution being cause to the atmosphere of Lahore. For the preparation of report regarding causes, the Commission may rely upon any existing authentic reports prepared by a body which has a standing in the relevant field. This report shall be placed before this Court on the next date of hearing as well as a report of the Commission regarding steps taken for curtailing the causes for environmental degradation in Lahore.

3. To come up for further proceedings on 27.12.2019.


(SHAHID KARIM)
JUDGE

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Rafiqai Ali