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Ref: No. M&A/LSC/18/1330

15th January, 2018

Dr. Pervaiz Hassan,
Chairperson,
Lahore Smog Commission,
Lahore.

Subject: SELECTION OF MS. IMRANA TIWANA
AS A REPRESENTATIVE OF EXPERT
PANEL IN LAHORE SMOG
COMMISSION CONSTITUTED BY THE
HONOURABLE LAHORE HIGH
COURT, LAHORE

*In re: IMRANA TIWANA wife of Afaq Ahmed
Tiwana resident of House No. 37, Lower Civil Lines,
Tehsil & District Sargodha. (hereinafter referred to as
"our Client")*

Dear Sir,

That on behalf of our Client(s), we had filed a Writ
Petition No. 106187/17 titled as "Imrana Tiwana &
Others Vs Federation of Pakistan & Others" as a Public
Interest Litigation in order to improve the conditions of
Environment of Lahore. The Prayers of the Writ Petition
are reproduced hereunder:-

"PRAYER:

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Continuation Sheet: 001

In view of the above facts and circumstances of the case, instant Writ Petition may very kindly be allowed and directions may very kindly be given to Respondent(s) to implement the statutory law as well as mandatory Rules in letter and spirit for the purposes of protecting and guarding the environment of all kinds and further directions may very kindly be made to make necessary amendments in the Act, Rules or Regulation(s) so as to make them compatible to deal with such emergency situations and that strict punishments should also be provided in these laws for the time being in force, so that nobody will escape from the clutches of the law, as degradation of the environment is an act of criminal negligence, so direction may very kindly be made to the concerned Respondent(s) for taking strict actions against the violator of polluters as referred in Pollution Charge Industries Rules, 2017.

It is further prayed that direction may very kindly be made to the Respondent(s) to place on record all remedial measure(s) that have been taken to address the prevailing condition of SMOG in the whole of Punjab. Smog for the last few years has had an adverse effect on the citizens and their 'Right to Life' and quality of life as protected under Article(s) 9 and 14 of the Constitution of the Islamic Republic of Pakistan, 1973. A detailed history of measures taken to protect these rights for the last five years should be made available to enable an understanding of actions taken in the past, so that the future is free of hazards and emergency situation like the one we face today. That a holistic view be taken to consider the root causes for this severe degradation, so that it may be

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addressed in a technical, scientific, sustainable and green manner. That a cross section of civil society, professionals and the public sector must engage to ascertain gaps and issues in depleting resources and rapid urbanization. That boundaries and zones may be created for integrated growth.

In the interest of justice equity, fairplay and to enforce fundamental right specially Article(s) 9, 14, 15, 16, 17, 23, 24, 25 and as well as 38 of the Constitution of the Islamic Republic of Pakistan, 1973, the as quality of air and preservation of environment should be monitored by independent bodies apart from statutory obligation.

In the interest of justice equity, and fairplay the direction may very kindly be made to the concerned Respondent(s) to place on record all material information documents maps plans with reference to machinery, equipment for measuring air quality and other central testing laboratories based on international standards may very kindly be directed to implement the practice of monitoring ecology, plantation of trees, maintenance of public parks, grounds, green cover may very kindly be directed to be placed on record, in view of Article 19-A of the Constitution of Islamic Republic of Pakistan, read with Punjab Transparency and Right to Information Act, 2013.

It is further prayed that directions may very kindly be issued to the Respondents to take strict action against industrial activities for violating the pollution charge activities for violating the Pollution Charge Industry Rules, 2017, in the interest of justice, equity and fairplay.

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Any other relief which this Honourable Court deems fit and proper in the circumstances of the case may also be awarded."

2. That on 18.12.2017 the Petitioner(s) filed a Civil Miscellaneous Application No. 3& 4 of 2017 in the above Writ Petition with the Prayer of constitution of a Lahore Smog Commission. Prayers of the said Application are reproduced as under:-

"PRAYER:-

In view of the above mentioned facts and circumstances of the case, it is respectfully prayed that instant Application may very kindly be allowed and the Respondents may kindly be given direction to allow the veteran environmentalists, human rights activists, farmers, doctors, educationists, lawyers, architects, planners and a cross section of professionals, to become a part of the EPD Smog Policy Committee under the umbrella of public private partnership for general assistance for climate

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Continuation Sheet: 004

*compatible development, crafting
specific targeted solution.*

*It is also prayed that a supra
body for creating a road map
and strategy in terms of public
private partnership may also
kindly be evolved for a long term
planning, monitoring and
conservation of the environment,
in view of Article 9 & 14 of the
Constitution of Islamic Republic
of Pakistan, 1973 read with
Environmental laws and the
international covenants
especially, the Sustainable
Development Goals.*

*It is further prayed that a
Commission may also be
constituted that may examine the
efficiency and efficacy of the
environmental laboratories of
EPD, in which billion of Rupees
have been utilized, in the
interest of justice, equity and
fair play.*

*Any other relief deemed
appropriate in the peculiar
circumstances of the case be also
afforded"*

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3. That the Petitioner's Counsel sought the constitution of a Lahore Smog Commission which was duly approved by His Lordship, Chief Justice Syed Mansoor Ali Shah. In addition, a panel of experts comprising of cross section of the society was requested to be a part of a Commission. But unfortunately, not a single name from the panel of experts was selected for the Lahore Smog Commission, hence, the instant representation.

4. As it has been stated earlier that the Lahore Smog Commission was a subsequent result of our Client's Application because the environmentalists, human rights activists, farmers, doctors, educationists, lawyers, architects, planners, and a cross section of professionals are an integral part of the panel of experts, so, it is requested that the name of Ms. Imrana Tiwana (our Client) may kindly be chosen as a part of the Lahore Smog Commission.

5. Ms. Tiwana will represent the rest of the experts and can mitigate the Environmental hazards in a very professional manner. Our Client has been performing actively for the betterment of the condition of the Environment and other social issues of the society, hence, she is competent enough to address the issues of Environment of Lahore and she knows how to solve the problems of Environment. She can assist the Lahore Smog Commission with great enthusiasm.

In view of the above facts and circumstances, it is requested that the name of our Client (Ms. Imrana

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Tiwana) may kindly be included in the Lahore Smog Commission as she is representing the panel of excerpts comprising of environmentalists, human rights activists, farmers, doctors, educationists, lawyers, architects, planners and a cross section of professionals.

If you have any kind of query or question, regarding above, please do not hesitate to contact Muhammad Azhar Siddique, Advocate Supreme Court of Pakistan at his Mobile No. 0302-8479997 & 0322-8477707.

We remain,

MOHAMMAD AZHAR SIDDIQUE

Advocate Supreme Court of Pakistan

Humayun Faiz Rasool
Shabir Asmail
Ali
M. J. S.
S. Parveen Mughal
HUMAYUN FAIZ RASOOL, MOHAMMAD IREAN, MUNIR AHMAD, MIAN SHABIR ASMAIL, ABDULLAH MALIK, MUHAMMAD RIZWAN GUJJAR, ADEEL HASSAN, SAJID ALI KHAN, HAEZA MAFIA, S. PARVEEN MUGHAL.

Advocate(s) High Court(s) of Pakistan

CC:-

1. The Registrar, Lahore High Court, Lahore.