



LAHORE: Justice Ayesha A Malik of the Lahore High Court on Thursday turned down a French company's request for the vacation of a stay order on the import of carbon dioxide from India.

The judge had restrained the government from granting any new, one-time permission for the import of the gas. The judge deferred the petition till May 29 on the request of a deputy attorney general to enable the government to file a reply.

The court also issued notice on the applications of four importers who had sought to become a party in the petition moved on behalf of Colony Sugar Mills.

Petitioner's counsel Shahid Ikram Siddique, in his submission on the stay application, said that the grant of one-time permission for import of gas via the Wagha border crossing was a violation of Clause 20 of the Import Policy Order of 2009. He said that there were no storage facilities, testing laboratory or transportation facilities available at Wagha.

He said that if not tested, preserved and transported properly, the carbon dioxide, which was used in the manufacture of various drinks locally, could pose a serious public health risk. He said the import of carbon dioxide was permitted from the Karachi port, where the appropriate testing and storage facilities were available.

Earlier, advancing arguments on the main petition, Siddique submitted that his client produced carbon dioxide gas locally using one of the most advanced production facilities. He submitted that the Ministry of Commerce's decision to allow Pak Gases to import carbon dioxide from India last year was illegal, unconstitutional and against the Import Policy Order of 2013.

The gas was on the negative list of imports from India, meaning its import was not allowed, he said. Further, there was no system to check the quality of the gas imported via Wagha.

The counsel submitted that Pakistani law required the gas to be transported in ISO tankers, but these vessels of transportation were not available at Wagha. He asked the court to stop the import of carbon dioxide from India and direct the federal government not to permit such imports. He also asked the court to issue directions for the confiscation of the gas already imported.

Courtesy: ♦Tribune