

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA

Constitutional Petition No.D-770 of 2024.

(Akhtiar Ali v. Chairman, Pakistan Telecommunication Authority & Ors)

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
-----------------	-------------------------------

BEFORE:

Mr. Justice Muhammad Saleem Jessar.

Mr. Justice Adnan-ul-Karim Memon.

Date of hearing and Order: 19.03.2025

Mr. Ghulam Ali Abbasi, advocate for the petitioner.

Mr. Liaquat Ali Shar, AAG alongwith SIP Ali Dost on behalf of
SSP Larkana.

=====

ORDER

ADNAN-UL-KARIM MEMON.J:- The petitioner seeks a court order directing the respondents to relocate U-Fone Tower No. 1965, situated in Madina Colony, Larkana, due to its unlawful proximity to the petitioner's property.

2. The petitioner requests the removal of U-Fone Tower No. 1965 in Larkana, installed near his home 4-5 years ago. Initially, he didn't object as it ran on electricity. However, the tower now uses a noisy generator, disrupting sleep and violating his fundamental rights. The tower is illegally close to his residence, violating regulations. Despite complaints, the respondents have threatened the petitioner with criminal cases. The petitioner claims official respondents have failed to address his grievances, including flood damage. He asserts the tower's operation is illegal and prejudicial, and seeks court intervention as he has no other remedy. He requests the court to order the tower's removal and grant any other appropriate relief.

3. We have heard the parties present in court and perused the material available on record.

4. Mobile towers emit radiofrequency (RF) electromagnetic fields. The concern is that prolonged exposure to these emissions could have adverse health effects. While mobile phone use is widespread, increasing human exposure to microwave radiation, the potential health risks of radiofrequency electromagnetic fields are a growing international concern. The Senate Standing Committee on Environment addressed radiation hazards from mobile towers and antennas. They recommended that cellular companies obtain environmental clearance from relevant Environmental Protection agencies before installing towers, highlighting the need for regulation and oversight.

5. Concerns exist regarding mobile towers near sensitive areas. The Environmental Protection Act offers a legal recourse. However, this petition is likely moot, as the court anticipates directing the Environmental Protection Agency to assess compliance with telecommunication, environmental, and international health standards.

6. This petition stands disposed of in the above terms.

JUDGE

JUDGE

19/3/2025