



**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

PUBLIC INTEREST LITIGATION (PIL) No. - 13864 of 2018

Moti Lal Yadav

.....Petitioner(s)

Versus

Hon Ble Prime Minister Office Thru. Its Prin. Secy. And Others

.....Respondent(s)

Counsel for Petitioner(s)	: Moti Lal Yadavin Person
Counsel for Respondent(s)	: C.S.C., A.S.G., Raj Kumar Singh

Along with :

1. Public Interest Litigation (pil) No. 499 of 2025:

Rajjan Khan

Versus

State of U.P. Thru. Prin. Secy. Home Lko. and 4 others

Court No. - 1

HON'BLE RAJAN ROY, J.

HON'BLE ABDHESH KUMAR CHAUDHARY, J.

1. Heard Shri Moti Lal petitioner in person in PIL No. 13864 of 2018, Shri Shri Mahmood Alam, learned counsel for the petitioner in PIL No. 499 of 2025 and Shri Shailendra Kumar Singh, learned Chief Standing Counsel along with Ms. Isha Mittal, learned Additional Chief Standing Counsel for the State in both writ petitions.

2. The writ petition styled as public interest litigation bearing No. 13864 of 2018 was filed in 2018 seeking the following reliefs:-

"(i) issue a writ order or direction in the nature of Mandamus thereby directing the Opposite Party nos. 1 and 2 to ban on import of chinese manjha and other injurious products from China to India which are injurious to health of the Human beings.

(ii) Issue a writ, order or direction in the nature of Mandamus directing the Opposite party nos. 3 and 4 to strictly ban on sale and use of chinese manjha as well as other manjhas in the entire state of Uttar Pradesh.

(iii) issue a writ order or direction in the nature of Mandamus thereby directing the Opposite Party no. 3 Chief Secretary of State of Uttar Pradesh to pass an appropriate punishable government order, notification/circular for strictly prevent/ban on sale and use of chinese manjha as well as other manjhas, in the entire state of Uttar Pradesh."

3. A detailed order was passed by this Court in PIL No. 13864 of 2018 on 03.09.2024 which reads as under:-

"1. Sri Moti Lal Yadav, petitioner, appearing in person, Sri Prakhari Mishra, learned Standing Counsel for State-respondents and Sri Raj Kumar Singh, learned counsel for Union of India are present.

2. Let the petitioner's counsel implead the Department of Environment, Government of U.P., Lucknow as an opposite party during course of the day.

3. *This petition was filed way back in 2018 seeking the following reliefs :-*

"I. Issue a writ order or direction in the nature of mandamus thereby directing the Opposite Party nos.1 and 2 to ban on import of chinese manjha and other injurious products from China to India which are injurious to health of the human beings.

II. Issue a writ, order or direction in the nature of mandamus directing the opposite party nos.3 and 4 to strictly ban on sale and use of chinese manjha as well as other manjhas in the entire state of Uttar Pradesh.

III. Issue a writ order or direction in the nature of mandamus thereby directing the Opposite Party no.3 Chief Secretary of State of Uttar Pradesh to pass an appropriate punishable government order, notification/circular for strictly prevent/ban on sale and use of chinese manjha as well as other manjhas in the entire state of Uttar Pradesh."

4. State Government has filed the counter affidavit inter alia stating therein that after issuance of the Government Order dated 16.11.2017, in pursuance to the orders passed by this Court on 15.05.2018 another Government Order dated 06.06.2018 was issued to all the District Magistrates, Senior Superintendents of Police and Superintendents of

Police of various districts in the State for proper implementation of the Government Order dated 16.11.2017 which was issued prohibiting, manufacturing, storage, use and sale of Synthetic Manjha/Lead quoted/Nylon Patang Dori and Chinese Manjha and also called for the action taken report. The counter affidavit further goes on to state that the Government Order dated 02.03.2016 was also issued in compliance of directions of this Court in Civil Misc. Writ Petition No.11759 of 2015 : Devashish Mitra vs. State of U.P. by which use of Chinese Manjha has been prohibited in rural and urban areas of the State in exercise of the power under Section 5 of the Environment (Protection) Act, 1986. Thereafter, Government Order dated 22.12.2016 was also issued by the State Government for necessary compliance of directions issued by the National Green Tribunal in O.A. No.384 of 2016 : Khalid Ashraf and another vs. Union of India and others. The Government Order dated 01.05.2017 was also issued by the Principal Secretary, Environment, Government of U.P. in compliance of judgment dated 19.11.2015 passed by this Court in PIL No.58620 of 2015 : Anurag Mitra vs. State of U.P. and others as well as the order of the National Green Tribunal dated 14.12.2016 passed in the O.A. referred hereinabove. On 31.01.2017, necessary directions have also been issued by the Director General (Law and Order) U.P. to all Zonal Inspector General of Police for necessary compliance of the aforesaid orders.

5. However, the issue is not that the government is not issuing orders. The issue is of its implementation though para 5 of the counter affidavit mentions that action taken report had been sought from the concerned District Magistrate and Superintendent of Police, the same have not been filed as yet.

6. Let a fresh affidavit be filed by the Home Department as also the Department of Environment in the State of U.P. as to the mechanism in place for implementing the aforesaid Government Orders and how this mechanism has been utilized to ensure effective implementation of the aforesaid orders. The action taken reports, if any, received from the districts be also summarized and brought on record so as to enable this Court to ascertain as to whether the said Government Orders are being properly implemented or not.

7. List on 25.09.2024 showing name of Sri Raj Kumar Singh, as counsel for Union of India.

8. Counsel for the petitioner has placed before us a news item published in Hindi daily newspaper Amar Ujala on 26.08.2024 pertaining to an incident where the throat of a person got slit on account of Chini Manjha being used by a youngster. These incidents have happened in Lucknow. A copy of the said newspaper clipping is handed over to Sri Prakhar Mishra, learned Standing Counsel as also to Sri Raj Kumar Singh, counsel for Union of India. The said newspaper clipping is also taken on record.

9. Sri Raj Kumar Singh, may also seek instructions and file requisite affidavit as to the stand of the Union of India in this regard and whether this issue is also pending consideration before the National Green Tribunal or has been decided by it finally, apart from the order referred hereinabove."

4. In pursuance thereof a counter affidavit has been filed in January, 2025 stating that in compliance of above quoted order information/detail and specific number of action taken for prevention of manufacture, sale and use of chinese manjha was collected. Annexure SA No. 2 to the said counter affidavit contained the details of action taken in various districts. Para 6 of the said counter affidavit reads as under:-

"6. That it is pertinent to mention here that necessary action by imposing ban on manufacturing, storage, use and sale of Synthetic/Chinese Manjha has been taken by the Opposite Parties and for proper implementation (wrongly mentioned as implantation) of the ban, necessary actin is being taken by the Authorities in every possible manner."

5. In spite of aforesaid, as is evident from the recent incidents which have taken place, sale and use of chinese manjha continues unabated. Recently several deaths have taken place on account of use of such manjha.

6. Shri Motil Lal appearing in person has placed before the Court several Newspapers reports for the month of February, 2026. He says that as many as 10 injuries/deaths took place because of use of said manjha. In

the rejoinder affidavit filed to the counter affidavit dated 29.01.2025 also he has mentioned about such deaths having taken place.

7. At this stage Shri Shailendra Kumar Singh, learned Chief Standing Counsel appearing for the State informs the court that in fact, 'chinese manjha' is a misnomer and gives an impression as if 'manjha' is manufactured in China and then imported into India, whereas, it is only a terminology being used commonly to denote synthetic manjha one, which is lead coated or Nylon manjha. He informed that some Government Orders had also been issued on 9/10.02.2026 for effectively curbing the use of such Manjha

8. As emphasized earlier, mere issuance of Government Orders will not suffice. There needs to be a sincere and concerted effort at district/local level to prevent manufacture, sale and use of what is termed a 'chinese manjha'

9. In fact repeated orders have been passed in this regard. We may refer to an earlier order dated 19.11.2015 passed in **Public Interest Litigation (PIL) No. 58620 of 2015; Anurag Mishra Vs. State of U.P. and Ors.**, which reads as under:-

"The petition has been instituted as a public interest litigation to highlight the serious dangers to public safety that are being caused by the use of "Chinese Manjha" as an appendage to kites. The string or Manjha, it is stated, is made of metallic/nylon yarn with an abrasive coat of crushed glass gummed on it which makes it razor sharp. As a result, serious injuries are liable to be caused and are being caused. The petitioner initially relied upon a report published in the daily newspaper 'Hindustan' dated 25 September 2015 which indicated that a death had been caused as a result of an accident due to the kite string. The kite string is also known to cause grievous injuries to birds.

The petitioner has, broadly, sought three reliefs:

(i) A prohibition on the manufacture or sale of the string;

(ii) Designation of areas for the flying of kites which would obviate

dangers to public safety; and

(iii) Treatment of persons who are injured.

By the order of this Court dated 14 October 2014, the Collector and District Magistrate was directed to look into the matter and formulate steps to be taken to curb incidents such as those which are highlighted in the petition. In the meantime, a direction was issued to initiate steps to spread awareness among of the inherent danger involved, to prevent the use of Chinese Manjha and to adopt suitable measures to prevent accidents. In response, the Collector and District Magistrate states that the Commissioner, Allahabad Division, in pursuance of a representation which was received by him, directed the District Magistrate by a letter dated 29 September 2015 to take necessary action. After taking a legal opinion from the Joint Director of Prosecution on 9 October 2015, the Additional District Magistrate (City) issued an order on 5 November 2015 under Section 144 of the Code of Criminal Procedure Code, 1973 prohibiting the sale and use of "Chinese Manjha" in the entire city of Allahabad. Moreover, it has been stated that a joint team of executive magistrates and police officers have made surprise raids on various shops where such material is being sold and the material found in such raids has been confiscated. The District Administration, the Court has been informed, is taking all possible steps to prevent the sale and use of "Chinese Manjha" to prevent any such incident in future.

The seriousness of the problem is apparent from the fact that even after passing of the order of this Court dated 14 October 2015, incidents have been reported in the print media about deaths and injuries which have been sustained as a result of contact with the offending Manjha strings. For instance, the learned counsel appearing on behalf of the petitioner has placed on the record a copy of a report dated 20 October 2015 contained in the daily edition of 'Hindustan' which indicates that a man aged about 44 years sustained grievous injuries on the neck near the Iskon Temple as a result of an accident was caused due to injuries sustained from the Manjha string. Similarly, there is a report in the daily newspaper 'Dainik Jagran' dated 15 November 2015 stating that a young child has sustained serious injuries on the nose due to an accident

sustained through contact with "Chinese Manjha". Various other news items have been placed for the perusal of the Court. These include a report published in 'Amar Ujala' dated 28 October 2015 in its Allahabad edition. There is also a subsequent report dated 21 October 2015 in the daily 'Hindustan'.

We are conscious of the limitations on the evidentiary value of such newspaper reports. However, having due regard to the element of public interest involved, we are of the view that the matter is serious enough to warrant appropriate action by the District Administration as we shall now indicate, at a wider state level, since the problem may not be only confined to the city of Allahabad. The affidavit which has been relied upon by the District Administration contains a complaint which was submitted to the Commissioner, Allahabad Division. The complaint contains a summary of other incidents which have taken place in the past involving deaths of human beings and grievous injuries to birds as well. The representation indicates that in the preparation of the "Chinese Manjha", the use of iron and glass pieces is resorted to on plastic (instead of the use of conventional thread) which renders the Manjha extremely potent and capable of causing serious injuries.

In our view, the issue must be tackled not only by making sporadic raids, as has been done by the District Administration but first and foremost, steps must be taken by the authorities to ensure that there is a complete prohibition on the manufacture of "Chinese Manjha" at a statewide level. Where any such activities are found to be carried out illegally, necessary enforcement action should be taken in respect of such establishments and for seizing all material. Secondly, a sustained awareness and publicity campaign should be carried out so as to ensure that members of the public, particularly the younger generation which indulges in the sport of flying kites particularly in and around the 'Makar Sankranti' festival is made conscious of the dangers involved. This should be ensured by carrying out a sustained publicity campaign, in the print and electronic media and by utilizing the social media to propagate public service messages.

The petitioner prays that wherever possible, it would be appropriate to

designate specified places for flying kites so as to reduce the possibility of the danger involved. We are conscious of the fact that the sport of flying kites takes place across localities and even on the terraces of residential houses and there may be limitations on the power of the District administration to enforce such a regulation as sought, however desirable. The District administration may look into this aspect about designating one or more places during the Sankranti festival. We leave this to the District Magistrate to decide. Hence, we are of the view that basically the issue which needs to be addressed is in regard to prohibiting the manufacture, sale and use of material which is liable to pose a danger to human health and to birds and animals by the use of the "Chinese Manjha".

We clarify that by this order we are not imposing any ban on the flying of kites but are issuing necessary directions so that such material which causes grave danger to human beings, animals and birds as the petitioner has highlighted is not used. The danger and problem is not confined to Allahabad. Apart from the district of Allahabad, if the Principal Secretary (Home) shall issue a communication to the Collectors of each district containing directions in implementation of this order. The directions contained in this order are not intended to be an exhaustive catalogue. The State Government shall adopt all appropriate steps for enforcement in accordance with law, including necessary steps to prohibit manufacture, use and sale of "Chinese Manjha" in any form whatsoever.

The petition is, accordingly, disposed of. There shall be no order as to costs."

10. We may also refer another recent judgment of this Court dated 14.01.2026 passed in **Public Interest Litigation (PIL) No. 54 of 2026; Himanshu Srivastava and Ors. Vs. State of U.P. and Anr.**, which also reads as under:-

"1. This petition, purportedly in public interest, has been filed by the petitioners seeking a direction to the respondents to take proper steps to prohibit use, sale and manufacturing of Chinese Manjha in any form whatsoever and decide the representation pending before them.

2. *A perusal of the petition indicates that already an order dated 19.11.2015 in Public Interest Litigation No. 58620 of 2015 has been passed by this Court, giving specific directions in this regard requiring the State Government to adopt all appropriate steps for enforcement in accordance with law, including the steps to prohibit manufacturing, use and sale of Chinese Manjha in any form whatsoever.*

3. *Besides the said order passed by this Court, few other petitions also are pending before this Court, wherein orders in this regard have been issued.*

4. *In that view of the matter, multiplying pending petitions by filing one more petition by claiming that the same pertains to District Jaunpur, would not serve the purpose in any manner.*

5. ***It goes without saying that the State is bound to follow the directions already issued by this Court and ensure that during the period when the kites flying is at its peak, the State machinery must be activated to ensure that manufacturing, use and sale of the Chinese Manjha does not take place so as to endanger human lives as well as the birds.***

6. *With the above observations, the petition stands disposed of."*

11. It appears that only when such injuries/deaths take place due to use of such manjha and these incidents hog the headlines in newspapers, State functionaries wake up and start taking some action. A permanent mechanism involving a regular and continuous exercise for prevention of manufacture, sale and use of such manjha is required to be put in place with suitable and effective provisions in law to curb the said practice and to make those indulging in such practice liable for their actions.

12. Let the State Authorities file a fresh counter affidavit in the matter keeping in mind the aforesaid, as to the measures which they propose to take by making suitable provision in law, unless already existing, for preventing the manufacture, sale and use of such manjha and then, for making such persons, who violate the law, accountable and liable. The accountability aspect should not only be with regard to those indulging in manufacture, sale and use of manjha but also with respect to those who

fail, if it is so, in discharging their duty of preventing the manufacture, sale and use of manjha. A proper mechanism should be put in place.

13. If, even after the aforesaid, such sale and use of so called chinese manjha continues, then, we may be compelled to consider ordering payment of compensation by the State to victims, in addition to the cost of treatment etc.

14. As emphasized earlier, in the case of *Anurag Mishra* (supra) effective steps for spreading awareness amongst the general public about the fall outs of use of such manjha, especially, parents of juveniles, should also be undertaken so that there may be a general consensus in society against manufacture, sale, purchase and use of such manjha.

15. List this writ petition along with connected matter on **11.03.2026 amongst first ten cases of the day.**

(Abdhesh Kumar Chaudhary,J.) (Rajan Roy,J.)

February 11, 2026
R.K.P.