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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 13401/2021**

ISHWAR SINGH DAHIYA Petitioner
Through: Mr. Aman Rehaan Khan and Mr
Siddharth Agarwal, Advocates.

versus

STATE OF NCT DELHI AND ORS Respondents
Through: Mr. Satyakam, ASC for GNCTD.
Mr. Anuj Aggarwal, ASC, GNCTD
with Ms. Ayushi Bansal, & Ms.
Arshya Singh, Adv. with Mr. Pankaj
Arora, ACP, SI Pankaj (Crime
Branch)
Inspector Rajiv, PS Managolpuri
Mr Ajay Diggpaul, CGSC alongwith
Mr Kamal R Diggpaul and Ms Swati
Kwatra, Adv. for UOI.
Mr. Anurag Ahluwalia CGSC

3 WITH
+ **W.P.(C) 13328/2022**

MANOJ KUMAR Petitioner
Through: Mr. Aman Rehaan Khan and Mr
Siddharth Agarwal, Advocates.

versus

STATE AND ORS Respondents
Through: Mr. Satyakam, Advocate for R-1.
Mr. Manish Mohan, CGSC.
SI Bhojraj Singh

4 WITH
+ **W.P.(C) 13349/2022**

ANURADHA Petitioner
Through: Mr. Aman Rehaan Khan and Mr
Siddharth Agarwal, Advocates.

versus

STATE OF NCT DELHI AND ORS Respondents
Through: Mr. Satyakam, ASC for GNCTD.

Mr. Apoorv Kurup, Mr. Shivansh Dwivedi, Ms. Apoorva Jha, Advs. for R-2.

5
+

AND
W.P.(C) 13524/2022

RAM KUMAR SINGH Petitioner

Through: Mr. Aman Rehaan Khan and Mr Siddharth Agarwal, Advocates.

versus

STATE OF NCT DELHI Respondent

Through: Mr. Satyakam, ASC for GNCTD.
Mr. Ripu Daman Bharadwaj (CGSC)

JUSTICE PRATHIBA M. SINGH

ORDER

% **08.08.2023**

1. This hearing has been done through hybrid mode.
2. These four cases relate to the deaths caused allegedly due to slitting of throats by kite flying thread made of polyester, nylon, plastic or any other synthetic material etc., also known colloquially as *Chinese Manjha*, which was being used for flying kites in the city of Delhi.
3. Vide order dated 10th February, 2023, several directions were passed by this Court and status reports were called for. In compliance of the said directions, status reports dated 11th April, 2023 and 21st July, 2023 were filed and the said are on record.
4. Vide order dated 1st August, 2023, this Court had directed the Id. ASC to file the latest status report on behalf of the Delhi Police. In compliance with the same, fresh status reports have been placed on record by the GNCTD as also on behalf of the Delhi Police. As per the status report of the Delhi Police, various actions have been taken which have been detailed in the report signed by Mr. Hareesh H.P., Dy. Commissioner of Police, Legal

Division, Delhi. The steps taken are set out herein below:

“2. That in view of better implementation of ban on stock, sale, storage, manufacturing of prohibited thread in any manner, Joint Commissioner of Police, Crime Branch held a meeting on 13.07.2023 with DCsP and ACs of Crime Branch to get the informers active to trace the source of Chinese Manjha i.e. wholesalers, suppliers, manufacturers etc. Moreover, all concerned were directed to locate the places where sale, purchase and production of "Chinese Manjha" is going on and to take legal action accordingly. Further, directions were issued to hold meetings with the managers of e-commerce portals and with the wholesalers in the potential market areas.

3. That on 18.07.2023, a meeting was organized by ACP/Central Range/Crime with the wholesale dealers of Kites & Manjha products operating in Lal Quan, Hauz Qazi, Delhi. They were apprised about the complete ban on kite flying thread made out of Nylon, plastic or any other synthetic material popularly known as "Chinese Manjha". They all were also directed to share information, if any person or shopkeeper is found indulged in selling the said banned thread. Further, an Advisory was also circulated to all the wholesale dealers present in the meeting in this regard. Moreover, banners have been displayed by the dealers on their shops regarding ban on Chinese Manjha. It is pertinent to mention here that ACP/Central Range/Crime Branch had tried to purchase the banned thread through online portal but at the time of delivery, it was found to be a simple thread. The staff of Police station Hauz Qazi also placed order to purchase the banned thread but no delivery was made by the concerned e-commerce portal.

4. That on 18.07.2023, a meeting was organized by ACP/ISC/Crime, with the Managers/Representatives of online e-commerce platforms i.e. Amazon, Flipkart, Indiamart, Jiomart, Reliance Retails, ebay etc. They were thoroughly briefed that sale of any kind of "Chinese

Maniha" is banned in India. If anyone of them found selling the same, strict legal action will be taken against him/them. However, all the Managers/Representatives of e-portal assured that they are not selling "Chinese Manjha" on their platforms.

5. That on 21.07.2023, ACP/Eastern Range-1/Crime held a meeting with his staff and deployed a dedicated team to check sale/purchase of 'Chinese Maniha' in Trans Yamuna Area of Delhi. The staff was also directed to develop and collect information pertaining to Chinese Manjha and to take legal action accordingly.

6. That on 21.07.2023, two cases vide FIR No. 168/2023 & No.171/2023, u/s 188 IPC and 5/15 Environment Protection Act 1986 have been registered at PS Crime Branch, Delhi. During investigation of case FIR No: 168/2023, total 201 rolls of banned thread were recovered and 03 persons have been arrested. Besides, during investigation of case FIR No. 171/2023, total 120 rolls of banned thread were recovered and 01 person has been arrested. Further investigation of both the cases is in progress to identify and trace the source of Chinese Manjha. Besides, a case FIR No.177/2023 u/s 188/291 IPC r/w 5/15 Environment Protection Act 1986 has been registered at PS Crime Branch, Delhi on 29.07.2023. In this case 02 persons have been arrested and 300 rolls of the prohibited Manjha have been recovered from them. Moreover, a case FIR No. 186/2023 u/s 188 IPC r/w 5/15

Environment Protection Act 1986 has been registered at PS Crime Branch, Delhi on 02.08.2023. In this case, 02 persons have been arrested and 80 rolls of the prohibited Manjha have been recovered from them.

7. The Joint CP/Crime organized a meeting with all DCsP of Districts of Delhi Police on 25.07.2023 regarding implementation of ban on sale, storage, manufacturing of prohibited thread in any manner.

Directions have also been issued to trace the actual source of Chinese Manjha and to place orders posing as decoy customers on e-commerce portals to find out suppliers of the same.

8. The Public Relation Officer (PRO) of Delhi Police has been informed to carry out an awareness program through social media, print media and other social platforms like twitter etc. regarding sale, storage, import on prohibited kite flying thread. It is pertinent to mention here that the competent authority has approved the following program for publishing:-

a) Release of advertisement on four Sundays i.e. 30.07.2023, 06.08.2023, 13.08.2023 and 20.08.2023 in all empanelled Hindi newspapers.

b) Broadcast of radio spot @ 3 spots per day (1 - 1 - 1) on nine (09) Radio FM channels for 30 days from 23.07.2023.

c) Sharing regular posts on social media platforms. Byte is also being given to media on regular intervals by senior officers. Radio spots are also being broadcasted on WIPA channels of Delhi Police @ 6 spots per day (2 - 2 - 2) for 30 days.

9. That apart from this, directions to all DCsP Districts, Delhi/New Delhi, vide PHQ's U.O. letter No. 2616-42/CP Sectt., PHQ, dated 20.07.2023 have been issued to take legal action against such offenders and (a) to Create awareness amongst the target groups, (b) Utilize 'Eyes & Ears' to propagate the ill-effects and illegality of use of hinese Manjha, (c) Ensure strict surveillance, and (d) carry out sustained enforcement. Further, a daily diary of action taken against such offenders has also been started for the perusal of CP/Delhi through DCP/OPS.

10. Further, letters have also been issued to the heads of Police of adjoining Districts of Delhi i.e. Ghaziabad, Gautam Budh Nagar, Faridabad. Gurugram, Sonipat and Jhajjar with request to start special drives against users, sellers, manufacturers, stockiest etc. in their respective jurisdictions and to take strict legal action against them

so that the lives of innocent people and birds may be saved in Delhi and NCR.

11. That following cases have been registered in c/w 'Chinese Manjha' for the period from 16.02.2023 to 03.08.2023:-

<i>Sl. No.</i>	<i>Name of the Districts/Units</i>	<i>Total No. of cases registered</i>
1.	<i>East District</i>	07
2.	<i>Shahdara District</i>	03
3.	<i>North-East District</i>	31
4.	<i>North District</i>	56
5.	<i>Central District</i>	21
6.	<i>North-West District</i>	08
7.	<i>Rohini District</i>	07
8.	<i>Outer-North District</i>	05
9.	<i>West District</i>	21
10.	<i>Outer District</i>	52
11.	<i>Dwarka District</i>	08
12.	<i>New Delhi District</i>	00
13.	<i>South-West District</i>	35
14.	<i>South District</i>	04
15.	<i>South-East District</i>	22
16.	<i>Crime Branch</i>	04
TOTAL		284

5. A perusal of the above would show that steps are being taken by the Delhi Police in order to stop the sale of *Chinese manjha* within the territory of Delhi. The Delhi Police have also interacted with the e-commerce websites and have sensitised them of the danger of selling *Chinese manjha*. Awareness programs have also been conducted by the Delhi Police and FIRs have also been registered, in an effort to curb the sale of *Chinese manjha*.
6. Accordingly, it is directed that Delhi Police shall continue to take steps to restrain the sale of *Chinese manjha* in Delhi even during the forthcoming Independence Day period, which is the kite-flying season.
7. Let a further status report be placed on record by the next date of hearing.
8. Insofar as the prayer of compensation is concerned, let these writ petitions be communicated to the Delhi Legal Services Authority who can place a report on record as to whether victims of *Chinese manjha* injury are entitled to any compensation under the scheme which is being implemented by the said Authority. Mr. Aggarwal, Id. ASC may obtain instructions from the Secretary, DLSA and file a report to this effect. Let the said report be filed within eight weeks. Copy of the same maybe given to the Id. Counsel for the Respondents.
9. List on 5th October, 2023.

PRATHIBA M. SINGH, J.

AUGUST 8, 2023

Rahul/am