

राजस्थान सरकार

पशुपालन, मत्स्य एवं गोपालन विभाग

क्रमांक: एफ.वी. 23() रा.जी.ज.क.बोर्ड/पशु कल्याण पखवाडा/2022-23/2414-46 दिनांक: 03/01/2025

समस्त जिला कलेक्टर एवं
अध्यक्ष, जिला पशु क्रूरता निवारण समिति
राजस्थान।

विषय:- पतंग उड़ाने के लिए नायलॉन या किसी सिंथेटिक सामग्री से बने और/या सिंथेटिक पदार्थ से लेपित और गैर-बायोडिग्रेडेबल मांझे या धागे पर पूर्ण प्रतिबंध लगाने बाबत।

उपरोक्त विषयन्तर्गत लेख है कि पतंग उड़ाने के दौरान उपयोग में लिए जाने वाले अत्याधिक धारदार, नायलॉन या किसी सिंथेटिक सामग्री से बने मांजों एवं उन पर लोहे अथवा कांच के पाउडर की प्लास्टिक कोटिंग से आमजन एवं पशु-पक्षियों को हानि पहुंचने व कई बार जनहानि होने की सम्भावना को दृष्टिगत रखते हुए पशु-पक्षियों व आम नागरिकों की जान-माल की सुरक्षा हेतु ऐसी सामग्री से निर्मित मांजों पर तत्काल प्रतिबन्धात्मक रोक लगाने की कार्यवाही किया जाना नितान्त आवश्यक है। इन मांजों से पक्षियों के घायल होने, अंग भंग होने के अलावा मृत्यु तक की घटनाएं होना संभव हैं।

उल्लेखनीय है कि माननीय राष्ट्रीय ग्रीन ट्रिब्यूनल (एनजीटी), प्रधान पीठ, नई दिल्ली ने ओ.ए. संख्या 384/2016 खालिद अशरफ बनाम युनियन ऑफ इण्डिया में जारी आदेश दिनांक 11.07.2017 में निर्देश दिया गया है कि "पतंग उड़ाने के लिए नायलॉन या किसी सिंथेटिक सामग्री से बने और/या सिंथेटिक पदार्थ से लेपित और गैर-बायोडिग्रेडेबल मांझे या धागे पर पूर्ण प्रतिबंध होगा। सभी राज्यों/केंद्र शासित प्रदेशों के मुख्य सचिवों को निर्देश दिया जाता है कि वे अपने राज्य/क्षेत्रों में पतंग उड़ाने के लिए सिंथेटिक मांजा नायलॉन धागे के निर्माण और उपयोग पर प्रतिबंध लागू करें। प्रतिवादियों को निर्देश दिया जाता है कि वे देश के किसी भी हिस्से में सिंथेटिक मांजा नायलॉन धागे या सिंथेटिक पदार्थों से लेपित समान धागे के आयात पर प्रतिबंध लगाएं।" (आदेश के संबंधित पेज की प्रति संलग्न)। इसी प्रकार केन्द्रीय प्रदूषण नियन्त्रण बोर्ड के आदेश संख्या CM-13011/35/2023-IPC-V-HO-CPCB-HO दिनांक 27.03.2023 में समस्त राज्यों को पतंगबाजी के लिए उपयोग किए जाने वाले चायनीज मांझे/नायलॉन/सिंथेटिक सामग्री/कांच लेपित धागे के निर्माण, बिक्री, भंडारण, खरीद और उपयोग पर प्रतिबंध लगाने के आदेश जारी किये गये हैं। (प्रति संलग्न)

उक्त परिप्रेक्ष्य में जिलों में निम्नलिखित कार्यवाही करवाया जाना सुनिश्चित करें:-

1. माननीय राष्ट्रीय ग्रीन ट्रिब्यूनल (एनजीटी) के आदेशों की अनुपालना में नायलॉन या किसी सिंथेटिक सामग्री से बने और/या सिंथेटिक पदार्थ से लेपित, चायनीज और गैर-बायोडिग्रेडेबल मांझे या धागे पर पूर्ण प्रतिबंध लगाने व प्रतिबन्ध की पूर्ण अनुपालना सुनिश्चित करावें। इस प्रकार के मांझे के निर्माण, भंडारण, विक्रय और उपयोग पर भी तत्काल रोक लगाई जाए।
2. उल्लंघन करने वालों के विरुद्ध पशुओं के प्रति क्रूरता का निवारण अधिनियम 1960, भारतीय न्याय संहिता 2023 तथा पर्यावरण संरक्षण अधिनियम, 1986 एवं अन्य संबन्धित वैधानिक प्रावधानों के तहत कार्यवाही करें।
3. प्रतिबंध के बारे में विभिन्न प्रचार माध्यमों से व्यापक प्रचार-प्रसार करावें। आमजन को सूती धागों या बायोडिग्रेडेबल सामग्री से बनी डोर के ही उपयोग के लिए प्रेरित करावें एवं स्कूलों, कॉलेजों और स्थानीय संगठनों के माध्यम से जागरूकता अभियान संचालित करावें।
4. घायल पक्षियों के बचाव हेतु विशेष प्रबंध करवाते हुए उनके इलाज हेतु सभी जिलों में मकर संक्रान्ति के अवसर पर पशुपालन विभाग/स्वयं सेवी संस्थाओं/पक्षी प्रेमियों के माध्यम से पक्षी चिकित्सा शिविर लगवायें एवं हेल्पलाइन नंबर जारी करावें।

संलग्न:- उपरोक्तानुसार।

भवदीय,

(डॉ० समित शर्मा)
शासन सचिव

क्रमांक: एफ.वी. 23() रा.जी.ज.क.बोर्ड/पशु कल्याण पखवाडा/2022-23/2447-52 दिनांक: 03/01/2024
प्रतिलिपी सूचनार्थ एवं अग्रिम कार्यवाही हेतु:-

1. निजी सचिव, माननीय अध्यक्ष, राज्य जीव जन्तु कल्याण बोर्ड, जयपुर।
2. सचिव, भारतीय जीव जन्तु कल्याण बोर्ड, बल्लभगढ़।
3. निजी सचिव, निदेशक, पशुपालन विभाग, राजस्थान, जयपुर।
4. समस्त जिला संयुक्त निदेशक, पशुपालन विभाग एवं पदेन सचिव, जिला पशु क्रूरता निवारण समिति, राजस्थान।
5. उपनिदेशक विस्तार, निदेशालय पशुपालन राजस्थान, जयपुर को प्रेषित कर लेख है कि इसका व्यापक प्रचार-प्रसार करावें।
6. रक्षित पत्रावली।

शासन सचिव

Document certified by SAMIT SHARMA
<samit.sharma@rajasthan.gov.in>
Digitally Signed by Samit Sharma
Designation: Secretary To
Government
Date :03-01-2025 05:36:34

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

**Original Application No. 384 of 2016
And
Original Application No. 442 of 2016
MA. Nos. 1247/2016 & 317/2017**

IN THE MATTER OF:

1. KHALID ASHRAF

S/o (Late) Shri Haji Mohammad Ashraf
Lal School, Moradabad-244001 (U.P)

2. SMT. RANI

W/o (Late) Shri.Devraj
R/o GarhiChowk, PS- Qila
District-Bareilly, (U.P)

.....Applicant(s)

Versus

1. Union of India
Through Secretary,
Ministry of Environment, Forest and Climate Change
Indira Paryavaran Bhavan, Jorbagh Road,
New Delhi - 110 003
2. Union Territory of Andaman & Nicobar
Through its Administrator,
Secretariat, Port Blair-744101
3. State of Andhra Pradesh
Through its Chief Secretary,
Secretariat, Hyderabad, 500002
Andhra Pradesh
4. State of Arunachal Pradesh
Through its Chief Secretary,
Secretariat, Itanagar – 791111 (A.P)
Arunachal Pradesh
5. State of Assam
Through its Chief Secretary,
Secretariat, Dispur, 781001
Guwahati, Assam
6. State of Bihar
Through its Chief Secretary,
Secretariat, Patna-800015, Bihar
7. State of Chhattisgarh
Through its Chief Secretary,

the Original Applications came to be filed before the Tribunal. Apart from the adverse effect of Chinese manjha which was being directly faced by people, its non-degradable nature adversely affected the environment, because large quantity of manjha was found scattered at every place which ultimately resulting in choking of the drains. The earlier *manjha* which was made of cotton is eco-friendly as by its nature it was degradable.

Looking to the deep rooted tradition of kite flying in our country which has also become part of our various festivals, the ill-effects of Chinese *manjha* had not only resulted in injuries to birds, animals and human beings, but number of fatal accidents have also increased in large number, and thus interference is called for by this Tribunal. It is only the *manjha* which is made of synthetic yarn and coated with synthetic material which is non-degradable and create menace for all. The traditional *manjha* which is made of cotton yarn and if it is coated, the same is with degradable materials. Such type of *manjha* being degradable it does not cause any environmental damage.

Therefore, we allow these Original Applications and issue following directions:-

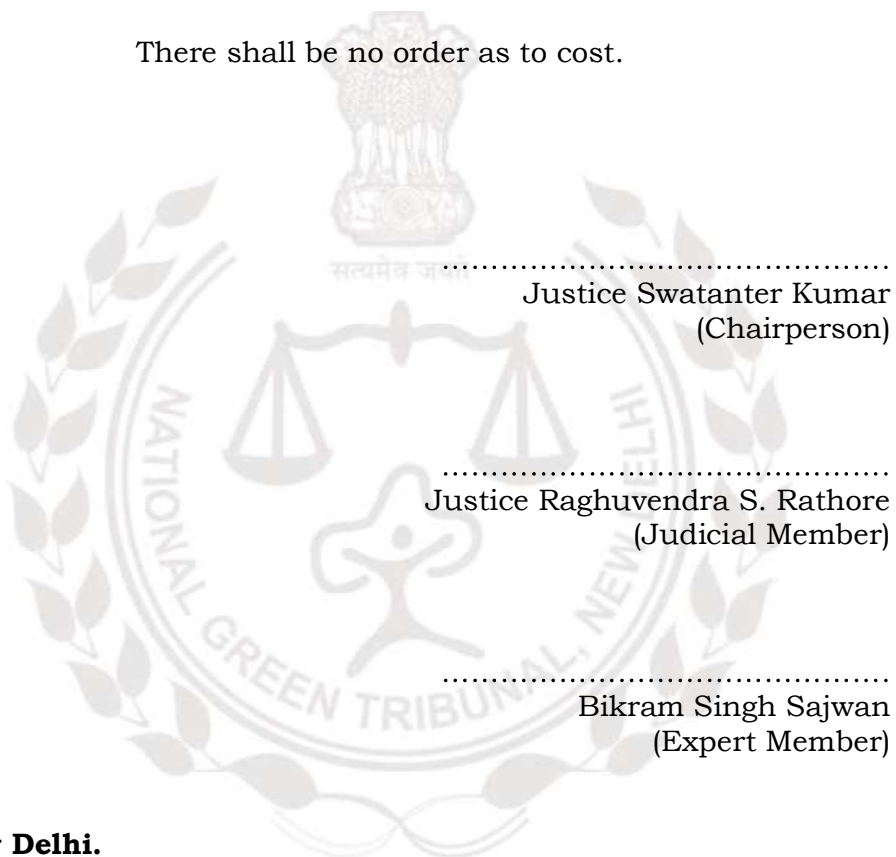
1. That there shall be a total ban on the *Manjha* or thread for kite flying which is made of nylon or any synthetic

material and/or is coated with synthetic substance and is non-biodegradable.

2. The State Governments are directed to prohibit the manufacture, sale, store, purchase and use of synthetic *Manjha/Nylon* thread and all other similar synthetic threads, used for kite flying.
3. All the Chief Secretaries/Administrators of the State Governments and Union Territories are directed to enforce the prohibition of manufacture and use of synthetic *manjha/nylon* thread for kite flying throughout their State/territories.
4. The respondents are directed to ban import of any synthetic *manjha/nylon* thread or other similar thread coated with synthetic substances, in any part of the country.
5. The Chief Secretaries/Administrators of all the States/Union Territories are further directed to send a copy of this order to all the district Collectors/District Magistrates and Superintendent of Police for its compliance in letter and spirit and to ensure that no synthetic *manjha/nylon* thread and also those which are coated with synthetic materials are purchased, sold, stored and used for kite flying within their area.
6. The State Governments/Union Territories/Chief Secretaries/ District Collectors are directed that in case of violation of any of the directions given in this

Judgment, appropriate steps be taken against the defaulters under the provision of Environment (Protection) Act, 1986; Prevention of Cruelty of Animal Act, 1960; Wildlife (Protection) Act, 1972, the Indian Penal Code or any other provision of law.

There shall be no order as to cost.



.....
Justice Swatanter Kumar
(Chairperson)

.....
Justice Raghuvendra S. Rathore
(Judicial Member)

.....
Bikram Singh Sajwan
(Expert Member)

New Delhi.
Dated: 11th July, 2017

NGT



CM-13011/35/2023-IPC-V-HO-CPCB-HO

March 27, 2023

To

The Member Secretary
All SPCBs/PCCs
(List Attached)

10.083-10127

Sub: Directions under Section 18(1) (b) of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 regarding ban on manufacture, sale, storage, purchase and use of Chinese Manjha or thread used for kite flying which is made of nylon or any synthetic material and/or coated with synthetic substance and is non-biodegradable

WHEREAS, under section 17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the State Pollution Control Board (SPCB)/ Pollution Control Committee (PCC), constituted under the Water (Prevention and Control of Pollution) Act, 1974, is to plan a comprehensive programme for prevention, control and abatement of pollution of streams and wells located in the State/UT and to secure the execution thereof; and

WHEREAS, under section 17 of the Air (Prevention and Control of Pollution) Act, 1981, one of the functions of the State Pollution Control Board (SPCB)/ Pollution Control Committee (PCC), constituted under the Air (Prevention and Control of Pollution) Act, 1981, is to plan a comprehensive programme for prevention, control and abatement of Air pollution in the State/UT and to secure the execution thereof; and

WHEREAS, the Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi vide its order dated 11.07.2017, in the matter of Execution Application No. 06/2020 in OA No. 384/2016: Khalid Ashraf Vs. UOI, directed that "...there shall be total ban on the Manjha or thread for kite flying which is made of nylon or any synthetic material and/or coated with synthetic substance and is non-biodegradable. All the Chief Secretaries of all the States/UTs are directed to enforce the prohibition of manufacture and use of synthetic manjha/nylon thread for kite flying throughout their state / territories. The respondents are directed to ban import of any synthetic manjha/nylon thread or similar thread coated with synthetic substances, in any part of the country.."

WHEREAS, NGT, Principal Bench, New Delhi vide its order dated 21.01.2020 while hearing the matter w.r.t. allegation of non-enforcement of the directions by States, for the prohibition of manufacture and use of synthetic manjha/nylon thread for kite flying, directed "CPCB to ascertain the status of compliance of said directions from all the States/UTs and furnish a consolidated report to this tribunal."

WHEREAS, in compliance of direction of Hon'ble NGT order dated 21.01.2020 CPCB submitted the consolidated status reports received from States/UTs before the Hon'ble NGT on 04.08.2020.

WHEREAS, Ministry of Environment, Forest & Climate Change (MoEF&CC) vide its letter dated 23.02.2023 in the matter of accidents/ injuries caused by the use of Chinese Manjha for Kite flying has requested for taking appropriate action and to direct all SPCBs/PCCs for prohibition of manufacture, sale, storage, purchase and use of Chinese Manjha for Kite flying.

NOW, THEREFORE, in compliance of Hon'ble NGT order and in exercise of the powers conferred under section 18(1) (b) of the Water (Prevention and Control) Act, 1974 **and Air (Prevention and Control of Pollution) Act, 1981**, following directions are issued herewith:

- 1) to prohibit the manufacture, sale, storage, purchase and use of Chinese Manjha/nylon/ synthetic material/ glass coated thread used for kite flying;
- 2) to ensure that existing units with valid CTO shall not manufacture or produce Chinese Manjha/nylon/synthetic/glass-coated thread for kite flying.
- 3) to ensure submission of Annual Self-declaration statement by "Synthetic fibre including rayon, tyre cord, polyester filament yarn" manufacturing units that they are supplying their product only to valid users and not to any entity involved in manufacturing Chinese manjha/nylon/ synthetic material/ glass coated thread for kite flying.
- 4) to give wide publicity about ban on manufacture, sale, storage, purchase and use of Chinese Manjha/nylon/ synthetic material/ glass coated thread used for kite flying through local newspaper/media etc

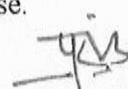
All SPCBs/PCCs shall submit the compliance report to this office within 30 days from the date of receipt of the directions.

/

(Prashant Gargava)
Member Secretary

Copy to:

- 1 The Additional Secretary : For information, please.
(CP Division)
Ministry of Environment, Forests and Climate Change
Indira Paryavaran Bhavan,
Jorbagh Road, New Delhi - 110 003
- 2 All Regional Directors : With a request to follow-up
with the concerned SPCBs/
PCCs for compliance
- 3 The Divisional Head, IT Division, CPCB : For uploading on CPCB web
portal, please.


(Prashant Gargava)
Member Secretary