



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

145 SUO MOTO (PIL) NO. 8 OF 2020

THE REGISTRAR JUDICIAL HIGH COURT OF BOMBAY
BENCH AT AURANGABAD

...Petitioner

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

.....Respondents

.....
Mr. Satyajeet S Bora, Advocate, Appointed as an Amicus Curiae,
Mr. P. K. Lakhotiya Asst. Government Pleader for the Respondents State
Mr. A. G. Talhar, DSGI for Respondent No.2.
Mr. A. P. Bhandari, Advocate for Respondent No.8
Mr. A. D. Mane h/for Mr. Amol Sawant, Advocate for Respondent No.32
Mr. L. V. Sangit, Advocate for Respondent No.31
Mr. N. S. Shah h/for Mr.K.N. Lokhande, Advocate for Respondent No.33

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRADE, JJ.

DATE : 23rd January, 2024

ORDER:

1. The Assistant Government Pleader has placed before us a compilation of documents received from various authorities to indicate the efforts taken in curbing the use of nylon manja and the offences registered. The documents that are placed before us are marked for identification as under:

Marked as	Descriptions of documents/ compilations
X-130	: The communication by the Deputy Commissioner of Police (Crime), Chhtrapati Sambhajnagar addressed to the learned Government Pleader, dated 23.01.2024.
X-31	: Compilation of 8 pages to indicate the steps taken, offences registered and the awareness campaign undertaken by Chh. Sambajnagar Police.

X-32	: Compilation of 85 pages to indicate the steps taken, offence registered and the awareness campaign undertaken by Jalgaon Police.
X-33	: Compilation of 73 pages to indicate the steps taken, offences registered and the awareness campaign undertaken by Nandurbar Police.
X-34	Compilation of 18 pages to indicate the steps taken, offences registered and the awareness campaign undertaken by Dhule Police.
X-35	: Compilation of 29 pages to indicate the steps taken, offences registered and the awareness campaign undertaken by Dharashiv Police.
X-36	: Compilation of 19 pages to indicate the steps taken, offences registered and the awareness campaign undertaken by Latur Police.
X-37	: The communication from the In charge Superintendent of Police, Nanded addressed to the learned Government Pleader, dated 18.01.2024.
X-38	: The communication from the In charge Superintendent of Police, Parbhani addressed to the learned Government Pleader, dated 18.01.2024.
X-39	: Compilation of 13 pages to indicate the steps taken, offence registered and the awareness campaign undertaken by Ahmednagar Police.
X-40	: Compilation of 34 pages to indicate the steps taken, offence registered and the awareness campaign undertaken by Beed Police .
X-41	: Compilation of 15 pages to indicate the steps taken, offence registered and the awareness campaign undertaken by Hingoli Police.

2. With regard to the stand of the Government of India, the learned DSGI points out through the affidavit filed by Shri Chandulal B. Tashildar, Assistant Inspector General of Forests (Central) at the Integrated Regional Office of Ministry of Environment, Forests and Climate Change at Nagpur, dated 13th April, 2023 that all the States in India have been communicated by the Union of India that the synthetic thread which also includes nylon manja as well as regular threads which are coated with glass powder to be used as manja for kite flying, have been prohibited. Every State is required to take a decision and initiate steps to ensure that such prohibited substances are not utilized for kite flying or for such purposes which are prohibited.

3. He draws our attention to the list of the States at page 206 onwards which have been issued with advisory to prohibit the synthetic nylon thread. Several steps have been suggested. He points out that around 14 States in India have already announced a ban on such synthetic thread/nylon manja. He submits that the Maharashtra Government is yet to take a call.

4. In view of the above, we direct the learned AGP to take appropriate instructions and make a statement as regards the response to the advisory from the Union of India to ban the synthetic thread/nylon manja/thread quoted with glass powder being used for kite flying or for any other prohibited purposes. So also, a statement

with regard to the introduction of the educational curriculum in 'Civics' subject as recorded in Paragraphs 6 and 7 of our order dated 15.01.2024, would be made by the Principal Secretary, on the next date.

5. Insofar as shops and establishments which have been subjected to legal action by the local administration, we expect the learned Counsel representing the authorities to suggest the steps with regard to further action to be taken as against such shops by following the due procedure laid down in law.

6. Stand over to **31.01.2024 at 4.30 p.m.**

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan