

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

Original Application No. 179/2025

Shyamlatata

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 02.09.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER
HON'BLE MR. SUDHIR KUMAR CHATURVEDI, EXPERT MEMBER
HON'BLE DR. SUJIT KUMAR BAJPAYEE, EXPERT MEMBER**

Applicant: Mr. Saurabh Tiwari & Mr. Vikash Tiwari, Advocates (Through VC)

Respondent: Ms. Sthavi Asthana, Adv. for R - 7

ORDER

1. In this original application, the plea of the applicant is that the applicant's son had died on account of slitting of his throat by Chinese Manjha on 31.12.2024.

2. The applicant alleges that on the fateful day the applicant/mother was passing from Chauka Ghat – Lahartara flyover with her 25 years old son Viveek Sharma when the throat of their son Viveek Sharma was cut from the Chinese Manjha which was used for flying the kite and he was taken to the Trauma Center at BHU Hospital where he had succumbed to the injuries. The applicant further alleges that the state authorities had failed to enforce the complete ban which was put on manufacture, sale and use of Chinese Manjha/Nylon Manjha for kite flying purpose by the NGT in OA No. 384/2016 *Khalid Ashraf & Anr. Vs. Union of India and Ors.* by the order dated 11.07.2017. He submits that the applicant is now entitled for the compensation for the death of his son.

3. Learned counsel for the applicant has also placed reliance upon the order of the Delhi High Court dated 09.08.2023 in W.P.(C) 10498/2023 in the matter of *Sandeep Vs. State of National Capital Territory of Delhi and Ors.* wherein one such similarly aggrieved person who had lost his daughter while travelling in scooty and her neck was slit by a Chinese Manjha, had claimed compensation and the High Court while considering the issue had issued the following directions: -

“ 6. A perusal of the abovementioned Order shows that there were as many as 255 cases as on 05.08.2022 where action has been taken against the persons selling, making, storing and transporting the banned Chinese Maanjha. The Order also shows that Orders have been passed under Section 144 of Cr.P.C directing that no person shall store or sell or use the special ‘Manjha’ viz. metallic powder coated ‘Manjha’ at various places. It is unfortunate that despite such Orders, Chinese Manjhai is being sold openly.

7. The Respondents are directed to file a reply and also a comprehensive Status Report regarding all the cases where action has been taken by the Respondents against persons manufacturing and selling Chinese Manjha.

8. The State Government is also directed to file a comprehensive policy for grant of compensation for people who have lost their life and limb by such accidents.”

4. Learned counsel further submits that he had sought an information under the RTI Act in respect of the policy which has been framed for grant of compensation by the State to those who have lost their life in such accidents and in reply to the said RTI query he was informed that the matter was under consideration. In this regard he has relied upon the RTI reply dated 31.07.2025 (Page 171).

5. Issue notice to the respondents. Ms. Sthavi Asthana, Advocate accepts notice on behalf of Respondent No. 7 - UPPCB. Learned counsel for the applicant is directed to supply a copy of the OA along with complete set of annexures to learned counsel for Respondent No. 7 within one week. Respondent No. 7 is directed to file a reply by way of affidavit within four weeks. Applicant is directed to serve the other respondents and file affidavit of service at least one week before the next date of hearing.

6. List on 26.11.2025.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

Sudhir Kumar Chaturvedi, EM

Dr. Sujit Kumar Bajpayee, EM

September 02, 2025
Original Application No. 179/2025
AS