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**EDITORIAL ANALYSIS**

# The Great Indian Bustard vs Solar: Did the Supreme Court Get the Balance Right?

 **DOWN TO EARTH**

30 May 2026

**ENVIRONMENT****POLITY****GS2****GS3**

CURATED &amp; WRITTEN BY

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# The Great Indian Bustard vs Solar: Did the Supreme Court Get the Balance Right?

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## INTERVIEW ANGLE



"The *MK Ranjitsinh v Union of India (2024)* judgment recognised a constitutional right against climate change but diluted bird-safe transmission line orders for the Great Indian Bustard. As a wildlife policy analyst, how would you reconcile renewable energy expansion with critically endangered species conservation?"

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 Argues that the  
**SUPREME COURT'S MK RANJITSINH V UNION OF INDIA (2024) JUDGMENT**

— while celebrated for recognising the **right to be free from climate change** as a constitutional right — **diluted earlier 2021 orders** mandating bird-safe transmission lines in **Great Indian Bustard (GIB) habitats** in Rajasthan, effectively prioritising solar expansion over a critically endangered species (now reduced to **50-249 mature individuals globally**).

## THE ARGUMENT IN ONE LINE

The judgment framed GIB conservation and solar expansion as a **false binary** — privileging a 500 GW non-fossil-by-2030 target over the survival of one of India's most endangered birds, when **integrative routing and undergrounding** could have served both. The result: solar continues; the GIB's clock keeps ticking.

## THE GREAT INDIAN BUSTARD — CRITICAL NUMBERS

PARAMETER	DETAIL
<b>Scientific name</b>	<i>Ardeotis nigriceps</i>
<b>IUCN status</b>	<b>Critically Endangered (CR)</b> since 2011
<b>CITES</b>	<b>Appendix I</b>
<b>WPA Schedule</b>	Schedule I
<b>Global population</b>	<b>50-249 mature individuals</b> (latest IUCN estimate)
<b>Strongholds (declining)</b>	<b>Desert National Park, Rajasthan</b> (Jaisalmer-Barmer); small remnant populations in Gujarat (Kutch), Maharashtra (Solapur), Karnataka, Andhra Pradesh
<b>Primary threats</b>	Power-line collisions; habitat conversion to solar/wind farms + agriculture; predator pressure (free-ranging dogs)
<b>Recovery initiative</b>	<b>Bustard Recovery Programme</b> (MoEFCC + WII + Rajasthan FD); captive breeding centres at Sam (Jaisalmer) and Sorsan (Kota)
<b>Recent breeding success</b>	First successful captive-bred chicks 2019-onwards; small chick survival; full release-to-wild still years away

## THE 2021 SC ORDER — WHAT IT MANDATED

In **April 2021**, the Supreme Court ordered:

- **Undergrounding** of all low-voltage power lines in **priority + potential GIB habitats** in Rajasthan and Gujarat (~13,000 sq km).
- **Bird Diverters** on high-voltage lines that couldn't be feasibly undergrounded.
- A timeline of **one year** for compliance.

The order was **based on scientific evidence** — radio-tagged GIBs were dying at rates of **15-20% annually** from power-line collisions.

## THE 2024 MODIFICATION — WHAT CHANGED

In ***MK Ranjitsinh v Union of India* (March 2024)**, a 3-judge bench (CJI DY Chandrachud, J.B. Pardiwala, Manoj Misra):

- ❶ **Recognised the constitutional right to be free from climate change** under Articles 14 + 21 — a landmark expansion.
- ❷ But **modified the 2021 order** — limited the undergrounding **mandate** to a **narrower “priority area”** rather than the full priority + potential area.
- ❸ Constituted a **technical expert committee** to study the trade-off between GIB conservation and India’s solar expansion targets.
- ❹ **Effectively diluted** the earlier full-undergrounding order.

## THE ENVIRONMENTAL CRITIQUE

DTE’s editorial argues:

PROBLEM	DETAIL
<b>False binary</b>	The court treated GIB conservation and renewable expansion as zero-sum, when <b>integrative routing</b> (avoiding GIB habitats), <b>early-stage undergrounding</b> at design phase (cheaper), and <b>bird-diverter retrofits</b> could have served both
<b>No enforcement timeline</b>	The expert-committee mechanism is open-ended; no compliance dates set for new orders
<b>Climate vs biodiversity is a false trade-off</b>	The IPCC and IPBES (Biodiversity Platform) have explicitly identified climate AND biodiversity as <b>interconnected</b> crises; trade-offs should be the exception, not the design
<b>Solar can be sited differently</b>	Rajasthan-Gujarat has vast non-GIB-habitat solar potential; the cost differential of moving solar parks is marginal compared to species extinction
<b>GIB extinction would be irreversible</b>	Once below ~30 breeding females, the species crosses a demographic threshold from which recovery is functionally impossible

## THE CONSTITUTIONAL ACHIEVEMENT — STILL IMPORTANT

Despite the dilution, the 2024 judgment’s recognition of the **right against climate change** is foundational:

- Built on **Article 14** (equality) and **Article 21** (right to life — by then read to include the right to a healthy environment via *Subhash Kumar v State of Bihar* (1991)).
- First explicit Indian constitutional right against climate change.
- Comparable to global precedents: **Urgenda v Netherlands** (2019), **KlimaSeniorinnen v Switzerland** (ECHR, 2024).
- Sets the stage for **future climate litigation** in Indian courts.

## WHAT THE EDITORIAL RECOMMENDS

- 1 **Reinstate the full undergrounding mandate** in priority + potential GIB habitats — at minimum for all new transmission projects.
- 2 **Solar siting reform** — designate GIB-priority areas as no-solar zones; redirect to abundant alternative land.
- 3 **Expert committee transparency** — publish technical findings and recommendations; allow scientific peer review.
- 4 **Captive breeding scale-up** — Sam and Sorsan centres should be expanded with international collaboration (Houbara Bustard programmes in Saudi Arabia, UAE).
- 5 **GIB Recovery Programme** — formal national mission with multi-year funding commitment.

## UPSC HOOKS

PAPER	ANGLE
<b>GS2</b>	Judicial review; constitutional environmental rights; SC environmental jurisprudence; expert committees
<b>GS3</b>	Endangered species conservation; renewable energy expansion trade-offs; climate vs biodiversity nexus; IUCN categories; WPA Schedule I
<b>Mains</b>	“The MK Ranjitsinh v Union of India (2024) judgment recognised the right against climate change but diluted bird-safe transmission orders. Examine the constitutional and policy implications.”
<b>Prelims</b>	GIB ( <i>Ardeotis nigriceps</i> , CR IUCN, CITES Appendix I, WPA Schedule I, 50-249 individuals, Desert NP Rajasthan); Bustard Recovery Programme (MoEFCC + WII); Sam + Sorsan captive breeding; MK Ranjitsinh v UoI (2024); Articles 14 + 21; <i>Subhash Kumar v State of Bihar</i> (1991); Urgenda (2019); KlimaSeniorinnen (2024)

## CROSS-LINKS

- AP Green Energy Corridor Phase-III (May 29, 2026)
- India 3rd globally in renewables (283.46 GW, IRENA 2026)
- 500 GW non-fossil by 2030 (Panchamrit, COP26 Glasgow 2021)
- NDC 2031-2035 (60% non-fossil by 2035, Cabinet March 2026)
- Amolops kamal (Nagaland, May 2026) — companion biodiversity story
- CSE State of India’s Environment 2026 (7/9 planetary boundaries breached)

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