

Supreme Court of India
Writ Petition No. 838 of 2019
Dr.M.K. Ranjitsinh and Ors. v. Union of India

**Status Report Prepared by Three Member Committee Appointed by Hon'ble SC vide
order dated 19.04. 2021 in I. A. No. 85618 of 2020**

Date of Submission: 16.01.2023

Prepared By:

Dr Rahul Rawat, Dr Sutirtha Dutta and Dr Devesh Gadhavi

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**Status Report of the Committee appointed by the Hon'ble Supreme Court of India by
order dated 19.04.2021 in the subject writ petition**

1. The Hon'ble Supreme Court of India, vide its order dated 19.04.2021 in the I. A. No. 85618 of 2020 in subject Writ Petition (Civil) No. 838 of 2019, constituted a Committee for assessing the feasibility of laying transmission lines underground in 'Priority and Potential Great Indian Bustard (GIB) habitat', after taking into consideration all technical details (hereinafter, the "Committee"). The Committee comprises of:
 - i. Dr. Rahul Rawat, Scientist, Ministry of New and Renewable Energy, New Delhi
 - ii. Dr. Sutirtha Dutta, Scientist, Wildlife Institute of India, Dehradun
 - iii. Dr. Devesh Gadhavi, Deputy Director, The Corbett Foundation, Kutch, Gujarat.
2. As per the order, the Committee may also obtain technical reports, if need be, from experts in the field of electricity supply to arrive at their decision (paragraph 15 of the order dated 19.04.2021).
3. This Hon'ble Court, vide order dated 31.03.2022 in Writ Petition (Civil) No. 838 of 2019, directed the Committee to file a status report within three weeks appraising the Court of the work which the Committee has carried out. Accordingly, a report dated 20.04.2022 was filed before the Hon'ble Court wherein the status of 8 (eight) applications were submitted. Out of these 8 applications, 2 were disposed of, and the remaining 6 were under examination. Further, in compliance with Hon'ble Court's order dated 21.04.2022, the Committee submitted its second status report on 19.07.2022 for a total 16 applications (including 6 earlier applications). Out of 16 applications, 11 were disposed of, responses from applicants were awaited for 2 applications, and 3 applications were under examination.
4. This Hon'ble Court, vide order dated 30.11.2022 in Writ Petition (Civil) No. 838 of 2019 directed the Committee to file an updated report before the next date of listing on the status of the applications. Accordingly, an updated status report has been prepared and is being submitted.
5. Since the last report, the Committee has received 41 (forty one) additional applications, i.e., a total 57 (Fifty Seven) applications (including 16 earlier applications) till 13.01.2023 for assessment of feasibility (S. No 17 of the table below has 10 applications). The overall status of applications is given as under:

- Total number of applications received: 57
 - Total number of applications disposed off: 44
 - Total number of applications regarding which queries sent/ to be sent: 6
 - Total number of applications under examination: 7
6. The applications and corresponding decisions taken by the Committee are listed below in Table. The applications listed at S. No. 1 to 11 were already disposed of (as per the status report dated 20.04.2022 and 19.07.2022). The response is pending from the applicant for the application listed at S. No. 12. The applications listed from S. No. 13 to 41 that were received on/before 31.12.2022 were discussed during the Committee meetings held on 06.10.2022, 23.11.2022, 06.12.2022, 19.12.2022, 11.01.2023 and 13.01.2023 through video conferences. Minutes of meetings held on the said dates are attached herewith as Annexure – I. The applications listed from S. No 42 to 48 have been received after 01.01.2023 and are under examination.
7. Approximate lengths and percentage of powerline applications that are **a)** ratified for overhead laying, **b)** not ratified for overhead laying/recommended for re-routing away from critical areas, **c)** pending are tabulated below:

Sr No	Decision	Approx line length (km)		Percentage of line length (%)	
		Rajasthan	Gujarat	Rajasthan	Gujarat
1	Ratified for overhead lines	2306	3341	98%	82%
2	Not ratified for overhead lines / recommended for re-routing	50	753*	2%	18%
3	Application under examination	113	38	-	-
4	Incomplete application/response to queries pending from the applicant	791	0	-	-
5	Total	3260	4132		


* Mostly 11 kV & 0.44 kV lines (refer to Annexure I for further details)

As summarized above, the Committee has received applications for about 3260 km powerline in GIB Area of Rajasthan and has reached a decision for about 2356 km line, out of which ~98% of line length has been ratified for overhead laying with Bird Flight Diverters (and additional mitigation measures such as horizontal stringing and minor realignments wherever required), whereas, 2% of line-length has not been ratified for overhead laying since they are proposed through the Prioritized GIB Area (enclosed herewith as Annexure II) that is critical for the survival of the species, has recorded recent mortalities of GIB (enclosed as Annexure III), and therefore needed to be safeguarded from further expansion of overhead transmission lines.


Similarly, the Committee has received applications for about 4132 km powerline in GIB Area of Gujarat and has reached a decision for about 4094 km line, out of which

~82% of line length has been ratified for overhead laying with Bird Flight Diverters (and additional mitigation measures such as horizontal stringing and minor realignments, re-routing wherever required), whereas, 18% of line-length has not been ratified for overhead laying since they are proposed through either the Priority or Potential Area having high-frequency of movement (enclosed herewith as Annexure IV) that is critical for the survival of both the bustard species found in Gujarat and therefore needed to be safeguarded from further expansion of overhead transmission lines.


8. Note from Committee Members (Dr. Gadhavi and Dr. Dutta): The Committee sent a communication dated 03/05/2021 to concerned agencies/respondents requesting applications of existing transmission lines for which exemption from undergrounding is to be sought. However, the Committee has not received any application for existing transmission lines in Rajasthan to be exempted from undergrounding. Further, to the best of the knowledge of these Committee members, no existing transmission line in Rajasthan and only a ~10 km segment of a much longer 66kV transmission line in Gujarat have been laid underground; whereas the length of transmission lines (installed before the Hon'ble SC order) that have been marked with Bird Flight Diverters is <25% of the total line length. Given the high mortality risk and recent evidence of two GIB mortalities in the Prioritized Area of Rajasthan, and frequent movements of both species of bustards in the Prioritized Area of Gujarat, the above members request the Hon'ble SC for necessary directions to concerned agencies for expediting the underground laying of transmission lines inside the Priority Areas of Rajasthan and Gujarat.
9. This is to confirm that we, the members of this Committee, who have signed below, have read all pages of this status report including the table below. All the things mentioned in this report are correct to the best of our knowledge and the same is being submitted to the Hon'ble SC in compliance of the order dated 30.11.2022 in the Writ Petition (Civil) No. 838 of 2019.


16/1/2023

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Scientist 'C'
MNRE
Delhi


16/01/23

Dr. Sutirtha Dutta
Scientist E,
Wildlife Institute of India
Dehradun


16.01.2023

Dr. Devesh Gadhavi
Deputy Director,
The Corbett Foundation
Kutch, Gujarat.

Note: The table showing the stats of the total applications received by the Committee is as follows