

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 6825 of 2026**

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GUJARAT BIOMASS BRIQUETTES ASSOCIATION & ORS.

Versus

MINISTRY OF ENVIRONMENT AND FOREST AND CLIMATE
CHANGE, GOVERNMENT OF INDIA & ORS.

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Appearance:

MR ABHISHEK M MEHTA, ADVOCATE with
MS CHAITALI DAVE, ADVOCATE for the Petitioner(s) No. 1,2,3,4
MR CHAITANYA S JOSHI(5927) for the Respondent(s) No. 1
SHIVANI RAJPUROHIT(5377) for the Respondent(s) No. 4
MR ANKIT SHAH, ADVOCATE for the Respondent No. 1, 5 and 6
MR A. V. NAIR, ADVOCATE for the Respondent No. 2
MR SANJAY UDHWANI, AGP for the Respondent No. 3

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**CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL
and
HONOURABLE MR. JUSTICE D.N. RAY**

Date : 07/05/2026

ORAL ORDER

**(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL)**

1. After a brief submission, Mr. Abhishek Mehta, learned advocate for the petitioners prays for and is granted permission to withdraw petitioner No. 1 from the array of parties and the writ petition is being maintained for the remaining petitioners who should be properly numbered.

2. The necessary incorporation shall be carried out within the course of the day.

3. The petitioners herein claim to be manufacturers of Biofuel commonly known as briquettes and pellets and the issue raised in the petition is about non-implementation of circular dated 30.01.2024 issued by the respondent No. 2 namely Central Pollution Control Board (CPCB), under Section 18(1)(b) of the AIR (Prevention and Control of Pollution) Act, 1981 for comprehensive management of paddy straw and other agro-residues in order to curb pollution across the country by utilising agro-residues effectively as alternate fuel as compared to coal in industries, thermal power plant, brick kilns etc. having benefit specially in terms of lower particulate matter emissions.

4. The submission is that as per the circular, the thermal power plant are mandated to use minimum 5% blend of Biofuel pellets with an obligation to increase to 7% w.e.f. financial year 2025-26. It is contended that in view of the Central Government policy to promote manufacturing of biofuel out of agricultural waste, the petitioners and many other such manufacturers have set up their manufacturing plants by investing a huge sum, with the hope that as per the policy decision, directions of CPCB will be implemented by the State agency namely the Gujarat Pollution Control Board (GPCB).

5. The contention in the writ petition is that there has been complete inaction on the part of the GPCB to issue necessary directions to the concerned industries/plants, in compliance of the circular dated 31.01.2024 issued by the CPCB.

6. Mr. Rahul Barot, learned advocate holding brief of Ms. Shivani Rajpurohit, learned advocate appearing for respondent – GPCB prays for and is granted time to bring the response of the GPCB before us.

7. As prayed the matter is posted on 11.06.2026 to enable the GPCB to file affidavit to respond to the contents of the writ petition.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

SHRIJIT PILLAI