

F.No 13/10/2020-HSMD
Government of India
Ministry of Environment, Forest and Climate Change
(HSM Division)

Indira Paryavaran Bhawan
Jor Bagh Road
New Delhi- 110003

Dated: 26.4.2022

Subject: Prior Informed Consent (PIC) for import of 9970.5 kg (289 flasks) mercury from Thailand to India by M/s Enkay Associates.

The undersigned directed to refer your application as per the email dated 01.02.2022 for seeking Prior Informed Consent (PIC) for import of 9970.5 kg (289 flasks) of mercury from Thailand.

2. It is noted that the ministry has received Form A from the National Focal Point to Minamata Convention, Thailand vide email dated 08th April, 2022 and vide letter no. 0304/8575 dated 07th April, 2022 for seeking consent for export of 9970.5 kg (289 flasks).

3. It has been noted that the end user of imported mercury, i.e. M/s Gurjar Chemical Pvt. Ltd., Indore, MP, has been authorised to manufacture Mercury Salts (Ammoniated Mercuric Chloride, Mercuric Acetate, Mercuric Chloride, Mercuric Iodide, Mercuric Nitrate, Mercuric Oxide, Mercuric Sulfate, Mercuric Sulfide, Mercurous Chloride, Mercurous Nitrate) and Thiomersal for the total maximum quantity of 40.992 MT/year vide consent order letter Ref No. AWH-50733, dated 02.01.2018 and valid till 31.08.2022.

4. It has been noted that the maximum consumption of mercury per annum by M/s Gurjar Chemical Pvt. Ltd. as per the manufacturing data from the last three years is 24,068 kg (approx. 698 flasks) for the manufacture of 31,193 kg of Mercury Salts and Thiomersal units (FY 2020-21). Proposed quantity of import by M/s Enkay Associates for M/s Gurjar Chemical Pvt. Ltd. is 9970.5 kg (289 flasks).

5. It has been noted that M/s Gurjar Chemical Pvt. Ltd. has provided the letter of intent to M/s Enkay Associates to use the supplied mercury for the production of Mercury Salts and Thiomersal vide letter dated 18.01.2022.

6. The interim storage facility is M/s Arshiya Ltd. (Free Trade Warehousing Zone) at Panvel, Raigad Dist., Maharashtra, who has the consent from Maharashtra Pollution Control Board for storage of mercury vide letter dated 01.01.2021 and 18.03.2021 and valid till 31.01.2023. M/s Arshiya Ltd. has agreed to store mercury from the present importer vide email dated 19.10.2021 sent by M/s Arshiya Ltd. to the importer.

7. It has been noted that M/s Enkay Associates received the import consent from MoEFCC to import 10,000 kg mercury from BMT Asia Co. Ltd., Thailand vide letter dated 17.07.2018. It has been informed that the import consent provided in the Form B could not be used by the importer as India had become a Party to the Minamata Convention thereafter,

8. According to the data from the last three years, the maximum mercury consumption per annum for M/s Gurjar Chemical Pvt. Ltd. is 24,068 kg. PIC was granted to M/s Orelia

N. Subrahmanyam

The Gold for import of mercury for the present end user (M/s Gurjar Chemical Pvt. Ltd.) for the quantity of 11971.5 kg (347 flasks) dated 08.11.2021.

9. The Ministry has examined the application. **The National Focal Point of the Minamata Convention for India, Ministry of Environment, Forest and Climate Change hereby grants Prior Informed Consent (PIC) for import of mercury i.e., 9970.5 kg (289 flasks) by M/s Enkay Associates from Thailand to be used in M/s Gurjar Chemical Pvt. Ltd.**

10. The following conditions are stipulated for compliance by the importer:

- (i) The consignment for import of mercury should not be contaminated with any other material or waste.
- (ii) The import shall be only for the intended use as allowed under the Minamata Convention on Mercury.
- (iii) In case of any illegal imports, the consignment will have to be sent back to the exporting country and the importer shall bear the cost for the same.
- (iv) The import shall be regularly monitored by the concerned SPCBs/PCCs and the Ministry shall be kept informed.
- (v) In case, the importer supplies it to other end user(s), if the end user in the present application does not take the full quantity, the importer shall provide the details of the end user(s) as prescribed in the Form 'X' before the mercury is supplied to the end user(s) who meet(s) all the conditions as laid out in Form 'X'.
- (vi) Importer shall file returns to the Ministry and concerned SPCB/PCC for the quantity of mercury supplied to end user(s) within 6 months from the date of import or within 3 months from the date of supply to the end user. In case of non-supply of mercury to end user, the status of storage shall be submitted within 6 months from the date of import.
- (vii) Importer shall be allowed for future imports only upon submission of statement regarding the supply/consumption/utilisation of imported mercury.

11. The consent is valid for the above-mentioned consignment/quantities and can be used one time only. The approval is subject to the provision of information by Exporting Party as contained in Section C of Form A.

This issues with the approval of the Competent Authority.

N. Subrahmanyam

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Scientist D

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(एन. सुब्रह्मण्यम)

(N. SUBRAHMANYAM)

वैज्ञानिक 'डी' / Scientist 'D'

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Min. of Environment, Forest and Climate Change

भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

To

M/s Enkay Associates
354 New Lajpat Rat Market,
Delhi – 110006.

Copy to:

1. The Director General of Foreign Trade, Udyog Bhawan, New Delhi.
2. The Central Board of indirect Taxes & Customs, Dept. of Revenue.
3. The Member Secretary, Maharashtra Pollution Control Board-*with a request to monitor the storage, transport and consumption of mercury.*
4. The Member Secretary, Madhya Pradesh Pollution Control Board- *with a request to monitor the transport and consumption of mercury.*
5. M/s Gurjar Chemical Pvt. Ltd., 133,145 Sector-D, Sanwer Road, Industrial Estate, Indore (M.P.). Email: order@gurjachemicals.com
6. M/s Arshiya Ltd. 302, Level 3, Ceejay House, Shiv Sagar Estate, F Block, Dr. Annie Besant Road, Worli, Mumbai-400018. Email: karthik.iyer@arshiyalimited.com, sonal.gupta@arshiyalimited.com, navnit.choudhary@arshiyalimited.com

N. Subrahmanyam
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