

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

3rd Floor, Vayu Block,
Indira Paryavaran Bhawan, Jor Bagh Road,
Aliganj, New Delhi-110003

Dated: 26.4. 2022

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

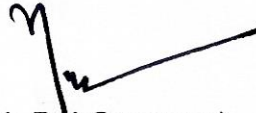
Sir,

Kindly refer the email from National Focal Point of Minamata Convention, Thailand dated 08th April, 2022 and letter no. 0304/8575 dated 07th April, 2022 for seeking consent to the export of mercury of 9970.5 kg by the exporter BMT Asia Co. Ltd. from Thailand to India.

2. The application of the importer (M/s Enkay Associates) has been examined. Accordingly, the consent for import of mercury 9970.5 kg (289 flasks) is hereby provided in the Form-A (as enclosed) for allowable use in manufacture of Mercury Salts and Thiomersal.

Encl.: As stated.

Mr. Athapol Charoenshunsa
Pollution Control Department,
92 Soi Phahon Yothin 7,
Phahon Yothin Road,
Sam Sen Nai, Phayathai,
Bangkok 10400, Thailand
e-mail: athapol.c@pcd.go.th
chem@pcd.go.th


(Naresh Pal Gangwar)
Additional Secretary &
National Focal Point of India to the Minamata Convention
E-mail: asnpg.mefcc@gov.in

(नरेश पाल गंगवार)
(NARESH PAL GANGWAR)
अपर सचिव/Additional Secretary
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

FORM A

Form for the provision of written consent by a Party to the import of mercury
(This form is not required by the Convention in cases where the importing Party has provided a general notification of consent in accordance with article 3, paragraph 7)

Section A: Contact information to be provided by the importing Party	
Name of Party:	India
Name of designated national focal point:	Mr. Naresh Pal Gangwar, Additional Secretary
Address:	Hazardous Substances Management Division, Ministry of Environment, Forest and Climate Change, Govt. of India, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi- 110003.
Tel:	(+91) 11 20819247
Fax:	(+91) 11 20819247
E-mail:	asnpg.mefcc@gov.in
Section B: Contact information to be provided by the exporting Party or non-Party	
Name of Party or non-Party:	Pollution Control Department
Name of designated national focal point or responsible government official:	Mr. Athapol Charoenshunsu
Address:	Pollution Control Department, 92 Soi Phahon Yothin 7, Phahon Yothin Road, Sam Sen Nai, Phayathai, Bangkok 10400, Thailand
Tel:	(+66) 2298 2121
Fax:	(+66) 2298 5393
E-mail:	<u>athapol.c@pcd.go.th; chem@pcd.go.th</u>
<p>Guidance for sections A and B</p> <p>For a Party, the contact is the national focal point designated in accordance with article 17. A Party may in some cases have a specific contact for purposes of trade in mercury. In both of these cases the contact information would be made publicly available by the Secretariat. If neither of the above is in place, communication will be effected through the Party's ministry of foreign affairs, for instance through its permanent mission in Geneva.</p> <p>In the case of non-Parties, it is their responsibility to determine who their responsible government officials will be.</p>	
Section C: Shipment information to be provided by the exporting country	
Please indicate the approximate total quantity of mercury to be shipped:	9970.50 kg
Please indicate the approximate date of shipment:	January 2022-April 2022
Please indicate if the mercury is from primary mercury mining:	No, it is from distillation of mercury contaminated waste.
Please indicate if the mercury has been determined by the exporting Party to be excess mercury from the decommissioning of chlor-alkali facilities:	It is not from chlor-alkali facilities
(If the exporting country is a non-Party, the importing Party shall also request that Form C be completed.)	
<p>Guidance</p> <p>Information regarding the approximate total quantity of mercury to be shipped allows the importing country to make an informed decision about any shipment to which it is consenting, while the approximate date of shipping assists in any effort to track the shipment that the country may wish to undertake.</p> <p>If the mercury is sourced from primary mercury mining it may not be used for artisanal and small-scale gold mining but it may be used, for a limited time as set out in paragraph 4 of article 3, for the manufacturing of mercury-added products in accordance with article 4 or in manufacturing processes in accordance with article 5. It may also be disposed of in accordance with article 11 using</p>	



operations that do not lead to recovery, recycling, reclamation, direct reuse or alternative uses.
 If the mercury has been determined by the exporting Party to be excess mercury from the decommissioning of chlor-alkali facilities the Party is to take measures to ensure that it is disposed of in accordance with the guidelines for environmentally sound management referred to in paragraph 3 (a) of article 11, using operations that do not lead to recovery, recycling, reclamation, direct reuse or alternative uses.
 If the mercury is to be disposed of, the procedures for transboundary movements of waste set out in article 11 (3) (c) of the Convention shall be followed. In such cases this form cannot be used.
 When the exporting country is a non-Party, the importing Party shall not allow shipment where the mercury originates from one of these two sources, unless it has applied paragraph 9 of article 3.

Section D: Information to be provided by the importing Party

What is the purpose of the import of the mercury? Please select YES or NO:

Environmentally sound interim storage in accordance with article 10: YES NO

If yes, please specify the intended use if known

Mercury will be used in manufacturing Mercury Salts and Thiomersal.

Use allowed to a Party under the Convention: YES NO

If yes please specify additional details about the intended use of the mercury.

Mercury is transported in UN-approved Flasks (34,5 kg each). It will be shipped to end user that will use the mercury for producing the following;

- **Mercury Salts and Thiomersal**

Guidance

This information is to state the purpose of the import of mercury, in accordance with paragraph 6 (a) of article 3. An indication is to be given as to whether the imported mercury is intended for environmentally sound interim storage in accordance with article 10 or whether it is intended for a use allowed to a Party under the convention. If the mercury is intended for interim storage, information on the intended use, if known, is to be provided. If the response to these questions is 'yes', then the importing Party is asked to provide further details on the intended use. Please note that the source of the mercury may restrict the use allowed for the mercury under paragraph 4 and paragraph 5 (b) of article 3 (see guidance box under Section C).

Before issuing consent, Parties are to determine whether appropriate arrangements are in place in accordance with the

Section E: Shipping information, as appropriate

Importer

Name of business:	Enkay Associates
Address:	354 New Lajpat Rai Market, 110006, Delhi, India
Tel:	+91-11-23261160
Fax:	+91-11-23260552
E-mail:	rgupta@enkay.net

Exporter

Name of business:	BMT Asia Co. , Ltd.
Address:	967 M. 4, Bangpu Industrial Estate, Old Sukhumvit Road, T. Phraeksa, A. Muang Samutprakarn, 10280 Samutprakarn, Thailand
Tel:	+66 2-709-6725
Fax:	+66 2 709 6725 ext. 16
E-mail:	sunisa@bmt-mercury.com

Guidance

Shipping information should include details of both the importer and the exporter, including for each the name of the business and address, telephone, fax and e-mail contact information. This provides information to the focal point or responsible government official as to who may be contacted should there be any queries in relation to any shipment and also allows follow-up at the national level with regard to the shipment.

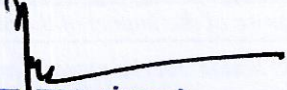
Section F: Indication of consent by the importing Party

Has consent been granted? Please select GRANTED or DENIED: GRANTED DENIED

Please use the space below to indicate any conditions, additional details or relevant information.

Prior Informed Consent is granted for import of mercury for the quantity of 9970.50 kg (289 flasks) and shall be permitted for storage of maximum period of 18 months. Importer shall furnish the returns on supply to the end users.

Signature of importing party designated national focal point and date

Name:	Mr. Naresh Pal Gangwar
Title:	Additional Secretary to Govt. of India and National Focal Point of India for Minamata Convention
Signature:	
Date:	26.04.2022
Guidance	(Naresh Pal Gangwar) (NARESH PAL GANGWAR) अपर सचिव/Additional Secretary पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय M/o Environment, Forest and Climate Change भारत सरकार, नई दिल्ली Govt. of India, New Delhi

This should be the contact point as indicated in section A of this form.