

**GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT FOR PROMOTION OF INDUSTRY AND INTERNAL TRADE**

LOK SABHA

**UNSTARRED QUESTION NO. 2604.
TO BE ANSWERED ON WEDNESDAY, THE 10TH MARCH, 2021.**

TOXIC LEADED PAINTS

**2604. DR. A. CHALLAKUMAR:
SHRI M. SELVARAJ:**

Will the Minister of **COMMERCE AND INDUSTRY** be pleased to state:

वाणिज्य एवं उद्योग मंत्री

- (a) whether the Government has banned production and use of toxic lead paints in the country;
- (b) if so, the details thereof along with the export of toxic lead paints to neighbouring countries by various paint companies during the last year and the current year; and
- (c) the action taken by the Government to restrict the export of banned products from the country?

ANSWER

वाणिज्य एवं उद्योग मंत्रालय में राज्य मंत्री (श्री सोम प्रकाश)

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE & INDUSTRY
(SHRI SOM PARKASH)**

- (a) to (c):** Any manufacture, trade, import and export of Household and Decorative Paints containing lead or lead compounds (calculated as lead metal) in excess of 90 parts per million (0.009 per cent) of the weight of the total non-volatile content of the weight of the dried paint film is prohibited vide Notification No. G.S.R. 1030(E) dated 1st November, 2016 issued by the Ministry of Environment, Forest and Climate Change (Annexure-1). Some items under HS Code 2824 (lead oxides, red lead and orange lead) have lead or lead compounds less than 90 parts per million (0.009 per cent). Details of export of items falling under HS code 2824 to neighbouring countries are attached as Annexure-2.

ANNEXURE REFERRED TO IN REPLY TO PARTS (a) TO (c) OF THE LOK SABHA UNSTARRED QUESTION NO. 2604 FOR ANSWER ON 10.03.2021.

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 1st November, 2016

G.S.R. 1030(E).—Whereas, the Central Government, in exercise of powers conferred by sub-section (1) of section 3 and clause (d) of sub-section (2) of section 6 of the Environment (Protection) Act, 1986 (29 of 1986), read with rule 13 of the Environment (Protection) Rules, 1986, published the draft rules namely, the Regulation on Lead contents in Household and Decorative Paints Rules, 2016 in the Gazette of India, Extraordinary, *vide number* G.S.R. 409(E), dated the 8th April, 2016 for inviting objections and suggestions from all persons and organisations likely to be affected thereby before the expiry of a period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

And whereas, the copies of the Gazette containing the said notification were made available to the public on the 24th April, 2016 and were also circulated to concerned stake holders whose addresses for communication were available with the Ministry;

And whereas, the suggestions or objections received in response to the above mentioned draft rules have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 3 and section 6 of the Environment (Protection) Act, 1986 (29 of 1986), read with rule 13 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following rules, namely:-

1. **Short title and commencement.**—(1) These rules may be called the Regulation of Lead Contents in Household and Decorative Paints Rules, 2016.
(2) They shall come into force one year after the date of their publication in the Official Gazette.
2. **Definition.**—In these rule, unless context otherwise requires, "Household and Decorative Paints" means paints used as surface coating materials in interior and exterior of buildings, walls, civil structures, any consumer products meant for household purposes and shall include enamel, primer, interior, undercoating and finishing colouring materials as prescribed in the Indian Standards for Household and Decorative Paints published by the Bureau of Indian Standards.
3. **Prohibition of use of lead or lead compounds in certain cases.**—Any manufacture, trade, import and export of Household and Decorative Paints (hereinafter referred to as product) containing lead or lead compounds (calculated as lead metal) in excess of 90 parts per million (0.009 per cent.) of the weight of the total non-volatile content of the weight of the dried paints film is hereby prohibited.
4. **Self certification.**—Household and Decorative Paints manufactured or imported on or from the date these rules come into force shall be labeled stating that the lead contents does not exceed 90 parts per million, such labelling shall be durable and legible and -

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3(i)]

THE GAZETTE OF INDIA : EXTRAORDINARY

[PART II—SEC.

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- (i) the label shall contain the name and address of the manufacturer or importer, as the case maybe;
 - (ii) the label shall contain the date of manufacture or import into the country, as the case may be.
 5. **Nodal agency.**—(1) The Central Pollution Control Board shall be the nodal agency for implementation of the provisions of these rules.
(2) In case of any dispute or difficulty in implementation of these rules, the matter shall be referred to the nodal agency.
(3) The nodal agency may constitute a Committee to advise it on all matters including the disputed matters, related to the implementation of these rules.
 6. **Authorised agencies for testing of products.**—The Central Power Research Institute, Bengaluru and its regional centers at Bhopal, Guwahati, Hyderabad, Kolkata, Nagpur, Nashik and Noida and any other agency notified by the Ministry of Environment, Forest and Climate Change from time to time shall be authorised to carry out such tests as they deem necessary for determining whether a product contains lead not exceeding 90 parts per million as specified in rule 3.

7. **Compliance and testing procedures.**—The compliance and testing procedure shall be prepared and published by the Central Pollution Control Board, with the help of certification agencies within six months from the date of commencement of these rules.
8. **Transitory provision.**—Household and Decorative Paints manufactured or imported before the date of commencement of these rules shall be permitted for sale for the next two years from the date of such commencement.
9. **General Conditions.**—The following conditions shall be applicable, namely;—
- (i) the stipulations relating to contents of lead in the Household and Decorative Paints as specified in rule 3 shall apply to products manufactured or imported on and from the date of coming into force of these rules;
 - (ii) every manufacturer or importer shall subject its product every year for testing of lead content as specified in rule 3 before bringing out its product in the market, from any one of the authorised agency mentioned in rule 6;
 - (iii) the testing agencies shall submit the test reports to the nodal agency for verification and action as may be required;
 - (iv) the nodal agency shall furnish a copy of the test reports to the concerned manufacturer or importer and the Ministry of Environment, Forest and Climate Change.

[F. No. 7-21/2010-
HSMD] BISHWANATH
SINHA, Jt. Secy.

Uploaded by Dte. of Printing at Government of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054.

Digitally signed by HARINDRA KUMAR
Date: 2016.11.03 11:49:41

HARINDRA KUMAR


ANNEXURE-2

ANNEXURE REFERRED TO IN REPLY TO PARTS (a) TO (c) OF THE LOK SABHA UNSTARRED QUESTION NO. 2604 FOR ANSWER ON 10.03.2021.

Export under HS code 2824 (Lead oxides, Red Lead and Orange Lead) to neighbouring countries

Value in US\$ Million

Country	2018-19	2019-20	2020-2021 (up to dec)
Bangladesh	0.42	0.54	1.5
Bhutan	0.03	0.03	0.02
Myanmar	0	0.03	-
Nepal	0.82	0.89	0.5
Pakistan	0.2	0.22	-
Total	1.47	1.71	2.02

Data Source: Department of Commerce
