

F.No. 13/13/2019-HSM
Government of India
Ministry of Environment, Forest and Climate Change
(HSM Division)

Indira Paryavaran Bhawan
Jor Bagh Road,
New Delhi- 110003.

Dated: August, 2024

Subject: Prior Informed Consent (PIC) for import of 15,525 kg (450 flasks) mercury from Peru to India by M/s KBNM Metals Pvt. Ltd.

The undersigned is directed to refer to your following applications for seeking Prior Informed Consent (PIC) for import of total 7,590 kg (220 flasks) from Peru:

- i. Application 1: Application dated 03.07.2024 for import of 5,175 kg (150 flasks) to be supplied to M/s Girgan Fine Chem for manufacture of mercury salts
 - ii. Application 2: Application dated 03.07.2024 for import of 5,175 kg (150 flasks) to be supplied to M/s Macsen Fine Chem for manufacture of mercury salts
 - iii. Application 3: Application dated 27.07.2024 for import of 6,900 kg (200 flasks) to be supplied to M/s L.S. Chemicals for manufacture of mercury salts
2. National Focal Point (NFP) to Minamata Convention, Peru has provided Form A for 50,000 kg (~1449 flasks) mercury vide letter dated 06.06.2023 out of which MoEF&CC has issued three PICs for import of total 33,741 kg (978 flasks). 16,259 kg (~471 flasks) is available for grant of PIC from the said Form A.
3. M/s Girgan Fine Chem has obtained Consent to Operate (CTO) from Rajasthan State Pollution Control Board (MPCB) for manufacturing mercury salts (Consent No.: 2022-2023/Bhiwadi/8072, valid for a period from 18.06.2022 to 31.05.2027). The total approved production capacity of the mercury salts in the CTO of M/s Girgan Fine Chemical Pvt. Ltd. is 92,970 kg/annum.
4. M/s Girgan received the CTO in the FY 2022-23 so there is no data for the maximum consumption of mercury in the last three years. The mercury usage of M/s Girgan Fine Chemical for the FY 2023-24 is 18,423 kg (534 flasks) for production of 19,557 kg mercury salts.
5. Ministry has issued PICs for import of total 25,150.5 kg (729 flasks) to be supplied to M/s Girgan Fine Chem. Further, 2,208 kg (64 flasks) has been re-appropriated to M/s Girgan Fine Chem from the PIC given for other end-users.
6. M/s Girgan Fine Chem vide letter dated 04.03.2024 has requested the importer to import mercury on their behalf.

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7. M/s Macsen Fine Chem has obtained Consent to Operate (CTO) from Rajasthan State Pollution Control Board to manufacture mercury salts, namely Mercuric Iodide, Mercuric Nitrate, Mercuric Oxide and Mercuric Sulphate, valid from 01.08.2023 till 31.07.2028 The maximum allowable production quantity according to the CTO is 102,000 kg/year.

8. The maximum mercury usage according to the data of the past three years for M/s Macsen Fine Chem is 37,882 kg (approx. 1098 flasks) for production of 44,690 kg mercury salts (FY 2022-23).

9. Ministry has issued PICs for import of total 34,155 kg (990 flasks) to be supplied to M/s Macsen Fine Chem. Further, 862.5 kg (25 flasks) has been re-appropriated to M/s Macsen Fine Chem from the PIC given for other end-users.

10. Further, mercury request letter from M/s Macsen Fine Chem to procure mercury from the importer (M/s KBNM Metals Pvt. Ltd) is available vide letter dated 19.04.2024.

11. M/s L.S. Chemicals & Pharmaceuticals has been authorized to manufacture mercury salts (mercuric chloride, mercuric sulphate and mercuric oxide) (15.6 MT/annum) vide Consolidated Consent and Authorization (CC&A) from Gujarat Pollution Control Board (Consent order no.: AWH-126409, issued on 20.05.2023 and valid till 31.03.2028). The maximum allowable production quantity for mercury salts according to the CTO is 1,300 kg/year.

12. The maximum mercury usage according to the data of the past three years for M/s L.S. Chemicals & Pharmaceuticals is 9763 kg (approx. 283 flasks) for production of 11,136 kg mercury salts (FY 2020-21).

13. Ministry has issued PICs for import of total 22,701 kg (658 flasks) to be supplied to M/s L.S. Chemicals & Pharmaceuticals.

14. Upon examination of the application, it has been proposed to provide PIC for import of **15,525 kg (450 flasks)** of mercury to be distributed to the following end users:

S.No.	Manufacturer Name	Quantity for grant of PIC
1	M/s Girgan Fine Chem	5,175 kg (150 flasks)
2	M/s Macsen Fine Chem	5,175 kg (150 flasks)
3	M/s L.S. Chemicals & Pharmaceuticals	5,175 kg (150 flasks)
		15,525 kg (450 flasks)

15. Imported mercury is proposed to be stored at M/s KBNM Metals Pvt. Ltd., Ludhiana. M/s KBNM Metals Pvt Ltd. has obtained Consent for storage of mercury from Punjab Pollution Control Board vide Consent to Operate dated 25.10.2023 and valid till 30.06.2028.

16. The Ministry has examined the application. **Approval of the National Focal Point of the Minamata Convention for India, Ministry of Environment, Forest and Climate Change is hereby conveyed for grant of Prior Informed Consent (PIC) for import of**

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mercury i.e., 15,525 kg (450 flasks) by KBNM Metals Pvt. Ltd. to be supplied to the end-users as given in Para 14.

17. The following conditions are stipulated for compliance by the importer:
- The consignment for import of mercury should not be contaminated with any other material or waste.
 - The import shall be only for the intended use as allowed under the Minamata Convention on Mercury.
 - 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.
 - The import shall be regularly monitored by the concerned SPCBs/PCCs and the Ministry shall be kept informed.
 - 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'.
 - 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.
 - Importer shall be allowed for future imports only upon submission of statement regarding the supply/consumption/utilisation of imported mercury.
18. 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
23/08/24

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To

M/s KBNM Metals Pvt. Ltd.
PLOT No. 29, NO. 945/C-2,
INDUSTRIAL AREA-C, SUA ROAD,
KANGANWAL, DHANDARI KALAN,
LUDIANA – 141014

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Copy to:

1. The National Focal Point to Minamata Convention, Peru
2. The Director General of Foreign Trade, Udyog Bhawan, New Delhi
3. The Central Board of indirect Taxes & Customs, Dept. of Revenue
4. The Member Secretary, Maharashtra Pollution Control Board-*with a request to monitor the transport of mercury*
5. The Member Secretary, Rajasthan State Pollution Control Board-*with a request to monitor the transport and consumption of mercury*
6. The Member Secretary, Gujarat Pollution Control Board-*with a request to monitor the transport and consumption of mercury*
7. The Member Secretary, Punjab Pollution Control Board-*with a request to monitor the transport and storage of mercury*
8. M/s Macsen Fine Chem, B-142, (G) RIICO Industrial Area, Gudli, Mavli, Udaipur (Rajasthan)
9. M/s Girgan Fine Chem, H1-1358 RIICO Industrial Area, Bhiwadi, Alwar, Rajasthan
10. M/s L.S. Chemicals & Pharmaceuticals, 798/2, G.I.D.C., Near Natwar Textile, Vapi, Gujarat

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