

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: 20.6.2022

**Subject: Prior Informed Consent (PIC) for import of 3105 kg (90 flasks) mercury from Peru to India by M/s KBNM Metals Private Limited**

The undersigned directed to refer your application as per the email dated 20.04.2022 for seeking Prior Informed Consent (PIC) for import of 3450 kg (100 flasks) of mercury from Argentina.

2. It is noted that the National Focal Point (NFP) to Minamata Convention, India had requested NFP, Argentina to provide relevant information in the Form-A on vide letter dated 4.5.2022. Argentina to send the Form A vide letter dated 04.05.2022.

3. However, the applicant, vide letter dated 26.05.2022, requested the exporting party to be changed from Argentina to Peru due to the time taken for issuance of Form A by NFP, Argentina and the logistics involved in shipping the material from Argentina.

4. Further, the Ministry of Environment, Forest and Climate Change (MoEF&CC) is in receipt of the Form-A sent by National Focal Point (NFP), Peru for 34500 kg (1000 flasks) mercury vide letter dated 28th February, 2020. The MoEF&CC has provided the PICs for the export of total quantity of 14835 kg till date against the said Form A of 34500 kg.

5. The applicant requested for PIC for import of 3450 kg (100 flasks) of mercury from the balance quantity of 19665 kg from the Form A of 34500 kg.

6. In this regard, a letter was sent to NFP, Peru by NFP, India to clarify if the PIC can be issued against the said Form A of 34500 kg since. To this, NFP, Peru sent a reply stating that the quantity of 3450 kg can be issued against the Form A of 34500 kg.

7. It has been noted that the mercury imported is proposed to be supplied to the end user, M/s Heni Chemicals Pvt. Ltd., Gujarat for manufacturing mercury salts.

8. M/s Heni Drugs Pvt. Ltd has been authorized to manufacture Mercury salts (upto 96 MT/year) vide Gujarat Pollution Control Board (GPCB) Consent to Operate dated 16.11.2019 and valid till 14.10.2024. The maximum consumption of mercury is 4083.088 kg/year during FY 2019-20 as per the data of last three years.

9. It may be noted that PIC for import of 1000.5 kg, vide letter dated 06.05.2022, had been granted to M/s Purple Products Pvt. Ltd. to be supplied to M/s Heni Drugs Pvt. Ltd. The balance quantity of 3082.588 kg can be imported by M/s KBNM Metals Pvt. Ltd. for M/s Heni Drugs Pvt. Ltd. Hence, it is proposed to grant the PIC of the 3105 kg (90 flasks) to M/s KBNM Metals Pvt. Ltd.

10. It has been noted that M/s Heni Drugs Pvt. Ltd. has provided the mercury request letter to M/s KBNM Metals Pvt. Ltd. for the production of mercury salts vide letter dated 30.03.2022.

11. 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. The applicant has submitted an Agreement between M/s KBNM Metals Private Limited and M/s Arshiya Logistics Services Limited, with commence date 14.07.2020 and valid for three years. M/s Arshiya Logistics Services is a unit holder in the Arshiya Free Trade & Warehousing Zone

12. 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., 3105 kg (90 flasks) by M/s KBNM Metals Pvt. Ltd. from Peru to be used in M/s Heni Drugs Pvt. Ltd.**

13. 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.

14. 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*  
20/06/22

(N. Subrahmanyam)  
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Min. of Environment, Forest and Climate Change  
भारत सरकार, नई दिल्ली  
Govt. of India, New Delhi

To

M/s KBNM Metals Pvt. Ltd.  
Plot No. Block 29,  
No. 945/C-2, Industrial Area C,  
Suaroad, Kangalwal PO,  
Dhandari Kalan, Ludhiana – 141014.

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 storage, transport and consumption of mercury.*
5. The Member Secretary, Gujarat Pollution Control Board- *with a request to monitor the transport and consumption of mercury.*
6. M/s Heni Drugs Pvt. Ltd.

N. Subrahmanyam  
20/06/22

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(N. Subrahmanyam)  
Min. of Environment, Forest and Climate Change  
पर्यावरण, वन और जलवायु मंत्रालय  
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