

Section XVI

IN SUPREME COURT OF INDIA

Civil Appellate Jurisdiction

Transferred Case No. 2 OF 2004

In the matter of:

THE SECURITIES AND EXCHANGE BOARD
OF INDIA

PETITIONER

VERSUS

THE GOLDEN FORESTS (I) LIMITED

RESPONDENT

And in the matter of:

NIKHIL KANT SYAL

APPLICANT

NDOH: 28.02.2024

FILING INDEX

<u>Sr. No.</u>	<u>Particulars</u>	<u>Copies</u>	<u>Court Fees</u>
1.	An affidavit in compliance of the order dated 24.01.2024.		
2.	Annexure A-1 to A-6		
		Total	20

Filed on:

28.02.2024

Filed by:



(SIDDHARTH)

Advocate for the applicant.

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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
Transferred Case (Civil) No. 2 OF 2004

In the matter of:

THE SECURITIES AND EXCHANGE BOARD PETITIONER
OF INDIA

VERSUS

THE GOLDEN FORESTS (I) LIMITED RESPONDENT

And in the matter of:

NIKHIL KANT SYAL APPLICANT

AN AFFIDAVIT IN COMPLIANCE OF THE ORDER DATED 24.01.2024

PAPER BOOK
(FOR INDEX SEE INSIDE)

ADVOCATE FOR THE APPLICANT: SIDDHARTH

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IN SUPREME COURT OF INDIA

I.A. no. 157461 of 2022

in

Transferred Case no. 2 of 2004

In the matter of:

Securities and Exchange Board of India

Petitioner

Versus

The Golden Forests (India) Limited

Respondent

And in the matter of:

Nikhil Kant Syal

Applicant



AN AFFIDAVIT IN COMPLIANCE OF THE ORDER DATED 24.01.2024

1. I am Nikhil Syal, the legal heir of the original promoter Mr Rakesh Kant Syal. Hence I am competent to affirm this affidavit. I am 42 years of age and I reside at 573, Sector 12, Panchkula, Haryana. I am presently at Delhi.
2. On page 12 paragraphs 4 and 5 of its order dated 24.01.2024, this Hon'ble Court had directed this deponent to submit:
 - a. Details with respect to the lands in Mohali, Punjab which have not been included in the assessment report of the Income Tax Department, and
 - b. Details with respect to lands that have fallen prey to illegal mining. These lands lie in villages Kot and Billa, Jaswantgarh district Panchkula, Haryana.
3. This compliance affidavit could not be submitted within the prescribed time because, for the State of Punjab alone, the land parcels that have not been included in the assessment report by the income tax department, admeasure more than 1200 acres, and the index of their registry details runs into more than 500 pages. It took

the deponent considerable time and effort to search and consolidate the details of these land parcels. The delay was aggravated because the Golden Forest Committee ("the committee") did not share the details of the land parcels with the deponent. Similar and graver anomalies exist in respect of land parcels in Telangana, Madhya Pradesh, Odisha and Haryana. The deponent is still in the process of collating and consolidating the details of these land parcels. The deponent seeks permission to submit the entire record before this Hon'ble Court.

4. There is wide scale illegal mining on the lands owned by the company in the villages Kot and Billa in Jaswantgarh in district Panchkula, Haryana. ~~The deponent~~ which has been reported in the newspapers (Annexure A-1 pp. 4-5). The deponent had complained about the mining to the committee, but the complaint was dismissed on the ground that the committee would consider the matter itself. (Annexure A-2 pp. 6) It is submitted that some of the villages have also been agitating against the illegal mining. One of them has affirmed an affidavit, which is annexed with its true translation as (Annexure A-3 pp. 7-9).

5. Additionally, the deponent's assistant were manhandled when he visited the illegal mines. The assistant's affidavit is (Annexure A-4 pp. 10-12). Therefore, the deponent had the illegal mining aerially videographed and photographed. The photographs are (Annexure A-5 pp. 13-21). The deponent had also complained to the police about the illegal mining (Annexure A-6 pp. 22-25).

6. In view of this, deponent prays that a District Judge or such other person as this Hon'ble Court may deem appropriate may be directed to inspect and report on the present status of these lands.

7. I say that the facts stated above are true to my knowledge and no part of it is false and nothing has been concealed therefrom.



Nikhil Kant Syal

(NIKHIL KANT SYAL)

Verification

Verified at New Delhi on this _____ that the contents of my above affidavit are true and correct to my knowledge and nothing has been concealed therefrom.

27 FEB 2024

Nikhil Kant Syal

(NIKHIL KANT SYAL)



Self
Admission NO-2261 4031
 I identified the deponent who *69921*
 has signed in my presence

CERTIFIED THAT THE DEPONENT
 Name *Nikhil Syal*
 No. W/o. D/o *573 seen - 12 panchurk*
 I/O *seen*
 verified by Shri *seen*
 Solemnly affirmed before me at *seen*
 as St. No. *5473*
 at the contents of the affidavit which have
 been read & explained to him are true and
 correct to this knowledge *Debjyoti Behuria*

Debjyoti Behuria
 NOTARIAL REG. No. *19716*
 St. No. *5473* Page No. *1775*
 Date *27 FEB 2024*

[illegible]

वैध खनन के नाम पर खनन विभाग को लग रहा करोड़ों रुपए का चूना

1 दिन में हजार से 1200 मीट्रिक टन माल निकालने की सरकार ने मंजूरी दे रखी है लेकिन 8 से 10000 मीट्रिक टन माल निकल रहा है

पंचकूला/रामगढ़, 1 फरवरी (सतीश शर्मा) : पंचकूला जिले में हो रहे वैध के नाम पर अवैध खनन को लेकर माइनिंग विभाग के कानों पर जूँ तक नहीं रेगती। इसकी जीती-जागती तस्वीर गांव कोट दबकोरी में हो रही गोलडन फॉरेस्ट की जमीन पर अवैध खनन है, जिसको लेकर कुछ दिन पहले ही गोलडन फॉरेस्ट के अधिकारियों द्वारा देखा गया कि उनकी जमीन पर अवैध खनन बढ़े जोरों पर चल रहा है। जिसमें निखिल सयाल ने बताया था कि 2004 से लेकर सुप्रीम कोर्ट ने एक कमेटी का गठन किया था गोलडन फॉरेस्ट की जमीन की देखरेख करने के लिए लेकिन गांव बिल्ला में जब गोलडन फॉरेस्ट के लोगों ने देखा तो धड़ल्ले से अवैध खनन चल रहा था जिसको लेकर उन्होंने अपने अधिकारियों के साथ मीटिंग कर प्रशासन से गहारा

लगाई थी कि इस अवैध खनन को बंद किया जाए।

मंजूरी 4 फुट की खुदाई कर
डाली 30 से 40 फुट : बता दें कि



30-30 फीट खूदाई करती पोक्लेन।

गांव कोर्ट में कृष्णा इंटरप्राइजेज को खनन करने की मंजूरी दी गई है। मंजूरी के अंदर मात्र तीन से चार फीट तक जमीन को खोद सकते हैं, वह भी

लोडर के द्वारा, ना तो उसमें जेसीबी का प्रयोग कर सकते हैं और ना ही पोकलेन का। लेकिन हकीकत में ऐसा नहीं पाया जा रहा है। जब मौके

क्लेन। (छाया : सतीश)

पर जाकर देखा तो पोकलेन लगाकर ग्रेवल उठाने का काम बड़े जोरों पर किया जा रहा है। यदि बात करें माइनिंग विभाग की तो आपको बता

दे की माइनिंग विभाग के कार्यालय से करीब 10 किलोमीटर की दूरी पर यह खनन की साईट पड़ती है, जहां पर यह कार्य चल रहा है। दिन-रात खनन विभाग के अधिकारी यहां आते-जाते नजर आते हैं लेकिन पोकलेन को बंद करने का काम कोई नहीं करता।

क्या कहना है अधिकारी का

जब इस बारे में खनन विभाग के अधिकारी गुरजीत सिंह से बार-बार फोन करके बात करने की कोशिश की गई तो उन्होंने फोन उठाने की जहमत तक नहीं उठाई।

क्या कहते हैं आर.ओ.

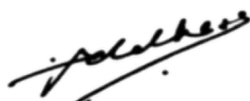
जब इसी बारे में पॉल्यूशन विभाग के आरओ सुधीर चौधरी से बात की गई तो उन्होंने कहा कि खनन अधिकारी हमें लिखकर देगा कि यह बैलेंस हो रहा है तो हम इस मीन को जल्दी बंद कर देंगे।

Panchkula / Ramgarh, 1 February (Satih Sharma): The mining department has ignored the illegal mining in district Panchkula. Its live image is the illegal mining on the lands belonging to Golden Forest in village Kot Dakori. The officers of golden forest had discovered the rampant illegal mining on their lands a few days ago. Nikhil Syal stated that the Supreme Court had constituted a committee in 2004 to supervise the lands belonging to Golden Forest. However, the officers of Golden Forest have discovered rampant illegal mining in village Billa. He had raised the matter with the administration for cessation of this illegal mining.

Mining up to 30 to 40 feet where permission was only for 4 feet: Krishna enterprises has been licensed to mine the land in village Kot. The license permits mining up to only 3 to 4 feet. Further the mining can be only by a loader, and not by JCB or Poclain excavators. However, the reality is different. The onsite inspection showed rampant gravel excavation by Poclain machines. Talking of the mining department, the office of the mining department is about 10 kilometres from the mining site where this work is going on. The officers of the mining department visit the site day in and day out but no one has shut down the Poclain machines.

What do the officers say: Several attempts were made to reach the officer of the mining department Gurjeet Singh on the phone. However, he did not answer his phone.

What does the RO say: when this was discussed with the RO Sudhir Chaudhary of the pollution department, he stated that he would shutdown the mine if the mining officer were to report the violation to him.



TRUE AND TYPED TRANSLATED COPY

From: committee_gfil@rediffmail.com <committee_gfil@rediffmail.com> on behalf of Committee GFIL
<committee_gfil@rediffmail.com>

Sent: 18 December 2023 07:26

To: NIKHIL SYAL <nikhil_syal@hotmail.com>

Cc: Ishita Farsaiya <ishitafarsaiya@gmail.com>

Subject: Re: letter to the committee 12/12/23

Annexure A-2 6

Mr. Nikhil Syal

The issue is under active consideration of the Committee.

By the order of Committee - GFIL

(Appointed by the Hon'ble Supreme Court of India)

Flat No 1065/1, Sector 39 B Chandigarh - 160036

Tel : 0172-2695065

website: www.goldenforestcommittee.com

Disclaimer: This mail is intended for the addressee only. If this email is not addressed to you, you have no right to read or copy it, as it may contain confidential matter. You are advised to delete it immediately under information to the sender at committee_gfil@rediffmail.com

From: NIKHIL SYAL <nikhil_syal@hotmail.com>

Sent: Tue, 12 Dec 2023 12:01:18

To: Committee GFIL <committee_gfil@rediffmail.com>

Cc: Ishita Farsaiya <ishitafarsaiya@gmail.com>

Subject: letter to the committee 12/12/23

kindly find the attached application regarding attempt by the Punjab government to change the status quo of the possession of the lands belonging to the company.

thankfully yours,

Nikhil K Syal.

https://timesofindia.indiatimes.com/city/chandigarh/mohali-admn-takes-possession-golden-forests-land/articleshow/105460153.cms?utm_source=whatsapp&utm_medium=social&utm_campaign=AmpArticleshowicon



Mohali Admn Takes Possession of

TRUE COPY



Indian-Non Judicial Stamp Haryana Government



Annexure A-3

7

Date : 27/01/2024

Certificate No. P0272024A84



Stamp Duty Paid : ₹ 101

(Rs. Only)

GRN No. 112252814



Penalty : ₹ 0

(Rs. Zero Only)

Deponent

Name : Farman

H.No/Floor : 70

Sector/Ward : Na

Landmark : Panchkula

City/Village : Billa

District : Panchkula

State : Haryana

Phone : 86*****60



Purpose : AFFIDAVIT to be submitted at Concern

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शपथ-पत्र

मैं फरमान पुत्र श्री बागु खान निवासी मकान नम्बर 70, गाँव बिल्ला, पंचकूला, हरियाणा का स्थायी निवासी हूँ। मैं अपने हल्फ से निम्नलिखित ब्यान करता हूँ कि:-

1. यह कि मैं उपरोक्त पते का स्थाई निवासी हूँ।
2. यह कि गोल्डन फोरेस्ट कम्पनी की जमीन जोकि गाँव कोट बिल्ला और जसवंतगढ़ मौजे में स्थित है और उक्त कम्पनी की जमीन पर पिछले कुछ समय से अवैध खनन चल रहा है। इस अवैध खनन के चलते इस कम्पनी की जमीन को बहुत नुकसान पहुँचाया जा चुका है।



Farman
शपथकर्ता

तसदीक

तसदीक की जाती है कि ब्यान हलफिया के उपरोक्त फिकरात मेरे इल्म व यकीन से सही व दुरुस्त है। इसमें कोई अमरपोशिदा ना रखा गया है।

स्थान : पंचकूला

दिनांक: 27-01-2024

Identity Documents He/She/They
has/have signed in my presence

Farman
शपथकर्ता

H No 272

DALAN-52

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NOTARY PUBLIC
Panchkula Haryana

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27 JAN 2024



भारत सरकार
Government of India



फरमान
Farman
जन्म तिथि / DOB : 14/05/1989
पुरुष / Male



4884 7003 6561

आधार - आम आदमी का अधिकार



भारतीय विशिष्ट पहचान अधिकार
Unique Identification Authority of India

पता:
S/O: बागु खान, हाउस नंबर 70,
बिल्ला, पंचकुला, बिल्ला, हरियाणा,
134118

Address:
S/O: Bagu Khan, House Number
70, Billa, Panchkula, Billa,
Haryana, 134118

4884 7003 6561



1947
1800 220 1947



help@uidai.gov.in



www.uidai.gov.in

Farman

Affidavit

I am Farman, son of Bagu Khan, permanent resident of House no. 70, village Billa, Panchkula, Haryana. I depose as under:

1. I am the permanent resident of the abovementioned address.
2. The land belonging to Golden Forest company is situated in villages Kot and Billa in mauza Jaswantgarh. This land is being illegally mined upon for some time. This illegal mining has destroyed the land of the company.

Declaration

I state the contents of the affidavit are true and correct as per my knowledge and belief. Nothing material has been suppressed therefrom.

Place: Panchkula

Date: 27.01.2024

(Sd/-)

Deponent



TRUE AND TRANSLATION COPY

Bond

Indian-Non Judicial Stamp
Haryana Government

Date : 27/01/2024

Certificate No. P0272024A91



Stamp Duty Paid : ₹ 101

(Rs. Only)

GRN No. 112252814



Penalty : ₹ 0

(Rs. Zero Only)

Deponent

Name : Garib dass

H.No/Floor : 443a

Sector/Ward : Na

Landmark : Beer ghaggar chandimandir cantt

City/Village : Hmt colony

District : Panchkula

State : Haryana

Phone : 90*****33



Purpose : AFFIDAVIT to be submitted at Concern

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मैं गरीब दास पुत्र श्री वेद प्रकाश निवासी मकान नम्बर 443ए, बीड़ घग्गर, चण्डीमन्दिर कैंट, एच.एम.टी. कॉलोनी, पंचकूला, हरियाणा का स्थायी निवासी हूँ। मैं अपने हल्फ से निम्नलिखित ब्यान करता हूँ कि:-

1. यह कि मैं उपरोक्त पते का स्थाई निवासी हूँ।
2. यह कि मैं निखिल सयाल पुत्र श्री राकेश कांत सयाल के पास बतौर सहायक कार्य करता हूँ।
3. यह कि गोल्डन फोरेस्ट कम्पनी की जमीन जोकि गाँव कोट बिल्ला और जसवंतगढ़ मौजे में स्थित है।
4. यह कि दिनांक 26.01.2024 को निखिल सयाल जी के कहने पर मैं उनकी कम्पनी की जमीन का मुआयना करने गया तो मैंने पाया कि वहां पर कम्पनी की जमीन पर अवैध खनन चल रहा है। उस दिन खनन करने वाले लोगों ने मुझे जमीन के अंदर जाने से रोका और मुझे धमकाया और मेरे साथ हाथा पाई करने की कोशिश भी की।
5. यह कि मैं इस शपथ पत्र को संबंधित विभाग में बतौर शिकायत दर्ज करवाने बाबत दे रहा हूँ।

Garib Dass
शपथकर्ता

तसदीक

तसदीक की जाती है कि ब्यान हल्फिया के उपरोक्त फिकरात मेरे इल्म व यकीन से सही व दुरुस्त है। इसमें कोई अमरपोशिदा ना रखा गया है।

स्थान : पंचकूला

दिनांक: 27-Jan-24

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Vide No

Panchkula Haryana

27 JAN 2024

Garib Dass
शपथकर्ता



भारत सरकार
GOVERNMENT OF INDIA



गरीब दास
Garib Dass
जन्म तिथि/DOB: 30/11/1983
पुरुष/ MALE

5720 9443 3690

VID : 9144 2184 9145 6168

मेरा आधार, मेरी पहचान

Garib Dass



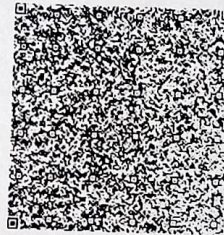
भारतीय विशिष्ट पहचान प्राधिकरण
UNIQUE IDENTIFICATION AUTHORITY OF INDIA

पता:

वेद प्रकाश, एच न 443ए, बीर घग्गर, चंडीमंदिर कैंट, एच
एम टी बस्ती, पंचकुला, पंचकुला,
हरियाणा - 134107

Address :

C/O VED PARKASH, H NO 443A, BEER
GHAGGAR, Chandimandir Cantt, HMT
COLONY, Panchkula, Panchkula,
Haryana - 134107



5720 9443 3690

VID : 9144 2184 9145 6168



1947
1800 300 1947



help@uidai.gov.in

www.

www.uidai.gov.in

P.O. Box No. 1947,
Bengaluru-560 001

AFFIDAVIT

I am Garib Dass, son of Ved Prakash, permanent resident of House no. 443A, Beed Ghaggar, Chandimandir Cantonment, HMT Colony, Haryana. I depose as under:

1. I am the permanent resident of the abovementioned address.
2. I work as an assistant to Nikhil Syal son of Rakesh Kant Syal.
3. The land belonging to Golden Forest company is situated in villages Kot and Billa in mauza Jaswantgarh.
4. I had visited the land belonging to the company on 26.01.2024 on the instructions of Nikhil Syal. I discovered that the land was being illegally mined. The people mining the land prevented me to access the land, and threatened me and manhandled me.
5. I have affirmed this affidavit to complain to the competent authorities.

Declaration

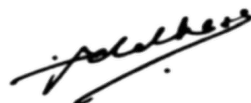
I state the contents of the affidavit are true and correct as per my knowledge and belief. Nothing material has been suppressed therefrom.

Place: Panchkula

Date: 27.01.2024

(Sd/-)

Deponent



TRUE AND TRANSLATION COPY

















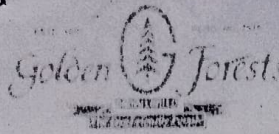
“सूचना”
 माननीय सुप्रीम कोर्ट के आदेशानुसार आयकर विभाग
 को गोल्डन फॉरेस्ट लिमिटेड की कृषि भूमि 51.37 एकड़
 गाँव बिल्ला जिला पंचकूला क्षेत्र के लिये अधिकृत
 किया है। यह भूमि कर वसूली अधिकारी पंचकूला द्वारा
 बेची जानी है। अधिक जानकारी के लिए कर वसूली अधिकारी
 आयकर भवन सै० 2, पंचकूला से Ph.0172-2577444
 से सम्पर्क करें।

आदेशानुसार
राकेश कुमार गर्ग
 कर वसूली अधिकारी, पंचकूला





[Signature]
TRUE COPY



Golden Forests (INDIA) Ltd.

NIKHIL KANT SYAL
Chief Spokesman & Authorised Representative

www.goldenforests.in

Dated: 01/02/2024

To

The Commissioner of Police,

Panchkula.

CC- Deputy Commissioner/ District Magistrate.

**Sub: Complaint against Unknown persons for Illegal Encroachment,
Illegal mining being done on lands belonging to Golden Forests India
Limited in villages Kot, Billa & Jaswantgarh.**

Respected Sir,

I write to you to bring an alarming situation in your notice. My company Golden Forests India Limited, owns around 250 acres of land in the villages of Kot, Billa & Jaswantgarh, Tehsil Panchkula, District Panchkula. The case of the company is pending in the Hon'ble Supreme Court of India since 2004. The Hon'ble Supreme Court has passed strict orders regarding the properties of the company (copies of both orders attached). In its order dater 05-09-2006 the Hon'ble Supreme Court of India said **"The civil as well police authorities are also directed to take action against the illegal encroachments and construction adjoining the resort at Billa. Revenue authorities of the respective states are also directed to help in removal of such illegal encroachments."** (copy of order attached).

Sir, I along with some of my staff and friends visited the land in question on 26th Jan, 2024 and found out that illegal encroachments and mining was happening on the company lands at an industrial scale. Several diggers (JCB machines) and multiple trucks and tractor-trolleys were deployed at the spot and are working day and night. At some places these machines have dug 30 feet deep and have taken earth, sand & resource from the company lands. The employees of the mafia tried to stop us from entering the area and from

Nikhil K. S.

NIKHIL KANT SYAL
Chief Spokesman & Authorised Representative

www.goldenforests.in

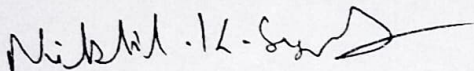
taking photos of the mining. We were threatened with dire consequences and were told to stay away from the area, also we were told that the persons doing the mining are incredibly powerful and can cause serious issues for us.

This vast industrial scale operation is being done in broad daylight and in complete defiance of the law and violating the orders of the Hon'ble Supreme Court of India.

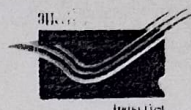
I request you to kindly bring this illegal operation to a complete stop and kindly ensure that strict action is taken against all those involved in this. I request that the concerned officer be asked to register an F.I.R and proceed with the course of law.

Thanking you,

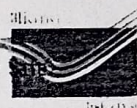
Regards



Nikhil Kant Syal.



RH630498271IN IVR:8272630498271
 RL SECTOR 15 PANCHKULA S.O <134113>
 Counter No:1,01/02/2024,13:52
 To:DEPUTY COMMI,SECTOR 1 PKL
 PIN:134108, G.K. Panchkula S.O
 From:NIKHIL SYAL,.
 Wt:95gms,REG=17.0
 Amt:49.56(Cash)Tax:7.56
 <Track on www.indiapost.gov.in>
 <Dial 18002666868> <Wear Masks, Stay



RH630498387IN IVR:8272630498387
 RL SECTOR 15 PANCHKULA S.O <134113>
 Counter No:1,01/02/2024,13:52
 To:COMMISSIONER ,MANSA DEVI COMPL
 PIN:134114, Mansa Devi Sec 5 S.O
 From:NIKHIL SYAL,.
 Wt:100gms,REG=17.0
 Amt:49.56(Cash)Tax:7.56
 <Track on www.indiapost.gov.in>
 <Dial 18002666868> <Wear Masks, Stay Safe>

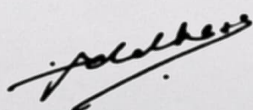


COMMISSIONER OF POLICE
MANSA DEVI COMPLEX
BHAINSA TIBBA, MDC
SECTOR - 4
PANCHKULA, HARYANA
134114

MIKHIL SYAL
H.No - 573 (SEC-12, PHL
E: 8729000007

DEPUTY COMMISSIONER
MINI SECRETARIAT
SECTOR - 1, PANCHKULA
HARYANA

MIKHIL SYAL
H.No - 573, SECTOR-12
PANCHKULA
E: 8729000007



TRUE COPY