

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

I.A. No. 110706 of 2021

IN

Writ Petition (Civil) No. 188 of 2004

In the Matter of :

M/S RAIGANJ CONSUMER FORUM

.... Petitioner

Versus

UNION OF INDIA & ORS.

.... Respondents

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New Delhi

Date:

Soumya Datta,
Advocate on record
Counsel for Committee – GFIL
(Appointed by Hon'ble Supreme Court)

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REPLY ON BEHALF OF THE COMMITTEE-GFIL
APPOINTED BY THE HON'BLE SUPREME COURT.

Most Respectfully Sheweth:-

1. That the applicant- M/s Divi's Laboratories Ltd has filed this application for the purchase of lands in villages Lingo jigudem and Thangadapally, Mandal Chhotuppal, District Yadadri (formerly Nalgonda) Telangana as under:

a.	Lingo jigudem	Area	112 Acre 27 Cents
b.	Thangadapally	Area	233 Acre 34 Cents
		Total Area	346 Acre 21 Cents

2. The applicant has prayed for the following:
 - a) Direct the GFIL Committee and/or the appropriate authorities to take appropriate steps for identification, demarcation and valuation of the said Lands of GFIL;
 - b) Permit the Intervenor/Applicant to conduct due-diligence and verify the records of title of the said Lands belonging to GFIL from the records available with the GFIL Committee and/or the appropriate authorities;
 - c) Direct the GFIL Committee and/or the appropriate authorities to take steps for sale of the said Lands of GFIL, either through a public auction, or through any other mode of sale as may be directed by this Hon'ble Court
 - d) Pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and for the ends of justice.
3. The Applicant - M/s Divi's Laboratories Ltd claimed to be a suitable buyer as the lands are abutting its lands in those villages. However, the applicant has not offered any bid amount; it has only referred to the document Part D filed by the Committee before this Hon'ble Court in which the value of lands in Nalgonda were presumed to be @ Rs. 20 Lakh per acre. It has also relied upon the market value ascertained by the Tehsildar.
4. It is pertinent to bring to the kind attention of the Hon'ble Court that vide orders dated 19.8.2004, 5.9.2006 and 15.10.2008 passed in T.C.

(C). No. 2 of 2004 this Hon'ble Court directed this Committee to take into its custody all the assets of Golden Forests Group and sell the properties after taking over possession through public auction.

5. That vide Order dated 5.9.2006, the Hon'ble Supreme Court directed the Committee to decide the matter of illegal sale of properties by Golden Forests Group after the restraint order dated 23.11.1998 passed by the Bombay High Court and restraint order dated 17.8.2004 passed by the Hon'ble Supreme Court. This Hon'ble Court also directed this Committee to ignore the sales and settlement made after 20.6.2003 (the date of appointment of Provisional Liquidator by Punjab and Haryana High Court).
6. That apart from the above orders, the Committee has come across a number of cases where properties of Golden Forests Group have been sold and resold. The Committee after giving proper hearing opportunities to illegal purchasers and occupants, rejected the sale deed and has with great difficulties taken possession of properties/lands with the help of district administration.
7. That vide order dated 05.09.2006 passed in T.C(C). 2 of 2004, Securities and Exchange Board Of India vs. Golden Forests (India) Ltd, this Hon'ble Court entrusted the Committee-GFIL with the task of putting to sale the properties of Golden Forests India Limited and its Subsidiary/Associate Companies situated at various places, possession of which had already been taken by the Committee, by auction after due publicity and directed that the sale shall be subject to the confirmation by this Court.

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And vide the Hon'ble Court vide order dated 15.10.2008 held that the Committee may make appropriate publication regarding the sale and sufficient notices be issued to the prospective purchasers by publishing the same in the local newspapers having wide circulation in the area where the property is situated.

8. That the Hon'ble Court vide order dated 03.02.2010 transferred TC(C) No.2 of 2004 to the Hon'ble Delhi High Court for passing further orders. As per the guidelines given vide orders dated 5.9.2006 and 15.10.2008, the Committee has till today sold 42 properties/lands and collected about Rs.548 Crore.
9. That it appears that applicant is not aware that Income Tax Department, under the orders of this Hon'ble Court, has identified the lands of Golden Forests Group in Telangana. The Income Tax department has also evaluated the lands in Telangana and vide second interim progress report, it has reported this Hon'ble Court that the value of 497 acre lands in Lingojjudem to be Rs.230,73,62,500 and value of 384 acre in Thangadapally to be Rs.83,11,25,000. Copy of the second interim progress report dated 31.10.2018 filed by the Income Tax Department is annexed herewith as **ANNEXURE R-1** (Pg No. 8 to Pg. No. 10).
10. That vide fourth interim progress report dated 4.7.2019 Income Tax department has filed consolidated valuation of Rs.379,89,93,750/- for 1193 acre lands of Golden Forests Group in Chhotupal Mandal, Yadadri district. Income Tax Department may be asked to provide village wise valuation. The valuation was done in the year 2019 and

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therefore subject to revision. Copy of the Fourth interim progress report dated 4.7.2019 filed by the Income Tax Department is annexed herewith as ANNEXURE R-2 (Pg No. 11 to Pg. No. 20).

11. The prayers of applicant are answered as under:

i) The Committee has with the help of district administration identified the lands in Yadadri district and under the order of this Hon'ble Court; Income Tax Department has valued the lands.

The Hon'ble Court may, if deem appropriate, direct the district administration of Yadadri district to the demarcate the lands,

ii) The applicant may verify the land record from revenue department and may also refer to the valuation report prepared by Income Tax Department which must be based on the verification of title deeds.

iii) In reply to letter dated 12.3.2021 of the applicant, the Committee through letter dated 25.3.2021 has already clarified that the properties can only be sold through auction.

12. In view of the above the Committee prays for the disposal of this application as it may deem fit and proper in the circumstances of the case.

Filed on

Filed By

Soumya Datta,
Advocate on record
Counsel for the Committee – GFIL
(Appointed by Hon'ble Supreme Court)

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IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

I.A. No. 110706 of 2021

IN

Writ Petition (Civil) No. 188 of 2004

In the Matter of :

M/S RAIGANJ CONSUMER FORUM

.... Petitioner

Versus

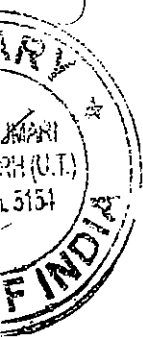
UNION OF INDIA & ORS.

.... Respondents

AFFIDAVIT

I, Shri Brij Mohan Bedi, S/o Shri Sadhu Ram Bedi, aged about 71 years, R/o H. No. 22, Sector-4, Panchkula, do hereby solemnly affirm and state as under:-

1. That I am one of the members of the Committee appointed by the Hon'ble Supreme Court. I am duly authorised and being fully competent and fully conversant with the facts and circumstances of the case, I am competent to swear this affidavit.
2. That I have read the contents of accompanying reply which has been prepared under my instructions.
3. That the contents of the accompanying reply are true and correct to the best of my knowledge and are derived from record of the case. Annexure are true copy of its original.



29 SEP 2021

Meena Kumari

DEPONENT

VERIFICATION:-

I, the deponent above named, do hereby verify and state that the contents of paragraph 1 to 12 of the affidavit are true to my knowledge based on records of the case, no part of it is false and nothing material has been concealed there from.

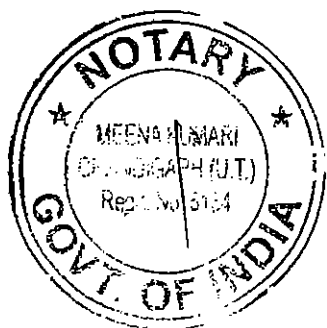
Verified by me at on this the 29 day of September, 2022.


DEPONENT

Certified that the Affidavit/SPA/GPA has been read over & explained to the Deponent/ Executant who seems perfectly to understand the same at the time of making thereof.

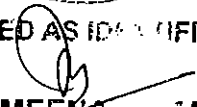
Identify the deponent who has Signed/thumb marked in my presence


Signature



29 SEP 2022

ATED AS IDENTIFIED


MEENA KUMARI
NOTARY, CHANDIGARH

The contents of this Affidavit / Document has been explained to the deponent / executant. He / she has admitted the same to the content. The deponent / executant has signed Register

300 29/9/2022



M/s Raiganj Consumer Forum

Petitioner

Versus

Union of India and ors

Respondents

Affidavit to place on record the Second Interim Progress Report on Valuation of properties pursuant to the Order dated 30.7.2018 passed by this Hon'ble Court

I, S.S. Rathore, do hereby solemnly affirm & state as under:-

1. That I am working as Pr. Chief Commissioner of Income Tax, Delhi and part of the team constituted by this Hon'ble Court by order dated 30.7.2018 to submit a correct valuation of the properties mentioned in the auction notice issued in terms of the order dated 17.5.2018 of this Hon'ble Court.
2. That an interim report in the form of first Interim progress report has already been filed vide the affidavit dated 25.10.2018
2. That the present affidavit is being filed to place on record the Second Interim Progress Report on Valuation of properties pursuant to the Order dated 30.7.2018 passed by this Hon'ble Court.

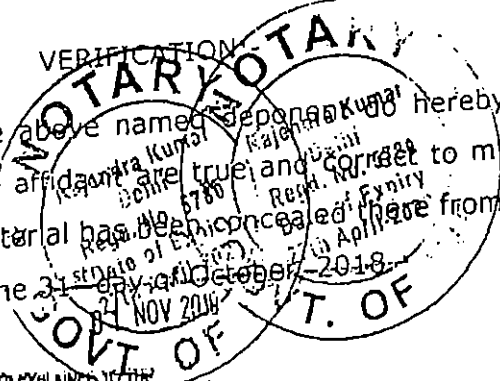
that in compliance of the Orders of this Hon'ble Court the valuation of the six identified properties have been completed. A copy of the Second Interim Progress Report on Valuation of properties along with the annexures are annexed herewith as Annexure-A.



S.S. Rathore
DEPONENT

S.S. RATHORE,
Principal Chief Commissioner of Income Tax,
New Delhi

I, S.S. Rathore, the above named Dependent Executive hereby verify that the contents of the above affidavit are true and correct to my knowledge and belief and nothing material has been concealed therefrom.
Verified at Delhi, on this the 31 day of October, 2018.



CERTIFIED THAT THE CONTENTS EXPLAINED BY THE DEPONENT EXECUTIVE WHO IS SEEMED PERFECT TO UNDERSTAND & AFFIRMED OR NEGATED AT DELHI ON 31 NOV 2018 IDENTIFIED BY

IDENTIFIED BY THE EXECUTIVE/DEPONENT WHO HAS SIGNED IN MY PRESENCE

ATTESTED

S.S. Rathore
DEPONENT

RAJENDRA KUMAR
NOTARY, DELHI, Regd. No. 5780, Date of Expiry 27th April 2018
GOVT. OF INDIA
S.S. RATHORE,
Principal Chief Commissioner of Income Tax,
New Delhi

Second interim progress report on valuation of properties in pursuance to the judgment of Hon'ble Supreme Court vide order dated 30.07.2018 in WP No. (C) 188 of 2004

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Result Achieved:

1. A reference may kindly be made to first Interim report wherein progress report involving identification and valuation of four properties was submitted before Hon'ble Supreme Court. It is to bring to kind notice that the six more properties (two properties in Telangana State, two properties in Madhya Pradesh and two properties in Haryana) were also located and identified by the DVOs. The valuation of these properties has also been completed.

2. The fair market value of these six properties as determined by DVO have been summarized in following table:


S.No	Details of properties	Location	Value as determined
1.	Property at S.No. 11 of part 'A'-Land at Village Nawda, Tehsil-Mhow, Distt. Indore.	Madhya Pradesh	The District Valuation Officer(DVO) vide letter dated 01.10.2018, valued the property at Rs. 18,85,21,200/-
2.	Property at S.No. 12 of part 'A' - Land at Village Panda, Tehsil-Mhow, Distt. Indore.	Madhya Pradesh	The DVO vide letter dated 01.10.2018, valued the property at Rs. Rs. 74,60,18,000/-
3	Property at S.No. 07 of part 'B' Survey No. 265/1, NTPC Ramagundam, Pedappalli District, Telangan.	Telangana	The Valuation Officer(VO) vide letter dated 26.09.2018 communicated that the property was sold out for settling the case of 161 investors by M/s Golden Forest. It has been reported that in compliance of the order of the Hon'ble High Court of Bombay in petition No. 20159/2002 & WVMP 2584/2003, in W.P. No. 16062/2002, the property was sold out for settling the case of 161 investors.
4	Property at S.No. 1 of Part 'D'- Yadadri Dist. Telangana, Mandal Choutuppal,	Telangana	

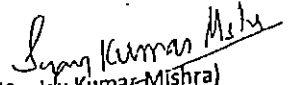
	(a) Choutuppal, Yadadri District, Telangana (Earlier Nalgonda Distt.)-70 Acres.	Telangana	The VO vide letter dated 25.09.2018, valued the property at Rs. 38,77,37,500
	(b) Thallasingaram, Yadadri Distt. Telangana (earlier Nalgonda Distt.)-200 Acre	Telangana	The VO vide letter dated 25.09.2018, valued the property at Rs. 84,64,31,250
	(c) Ragavapuram, Mandal, Bibinagar, Yadadri Distt. Telangana-242 Acre)	Telangana	The VO vide letter dated 26.09.2018, valued the property at Rs. 61,63,25,000
	(d) Lingogiguda, Choutuppal, Yadadri Distt. Telangana-497 Acre.	Telangana	The VO vide letter dated 26.09.2018, valued the property at Rs. 230,73,62,500
	(e) Thangadpally, Yadadri distt., Telangana-384 Acre.	Telangana	The VO vide letter dated 26.09.2018, valued the property at Rs. 83,11,25,000
5	Property at S.No. 22 of Part 'A- House No. C-6/359/1 Garhi Mundo Jagadhari, Haryana	Haryana	The Assistant Valuation Officer (AVO) vide letter dated 05.10.2018, valued the property at Rs. 33,97,800/-
6	Property at S.No. 23 of Part 'A- Agricultural land at village Jagadhari, Tehsil & Distt. Yamunanagar	Haryana	The AVO vide letter dated 05.10.2018 valued the property at Rs. 49,30,000/-
Total			593,18,48,250/-

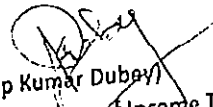
3. The above referred to progress report may kindly be brought to the notice of Hon'ble Apex Court for appropriate directions.

Dated: 26.10.2018

Encls: Copy of the valuation reports.


(S.S. Rathore)
Pr. Chief Commissioner of Income Tax, Delhi


(Sanjay Kumar Mishra)
Chief Commissioner of Income Tax-4, Delhi


(Anup Kumar Dubey)
Commissioner of Income Tax (OSD), Delhi

IN THE SUPREME COURT OF INDIA

ANNEXURE K-2

(CIVIL ORIGINAL JURISDICTION)

11

WRIT PETITION (CIVIL) NO. 188 OF 2004
AND CONNECTED MATTERS

IN THE MATTER OF:

M/s Raiganj Consumer Forum Petitioner

Versus

Union of India and Ors. Respondents

AFFIDAVIT TO PLACE ON RECORD THE
FOURTH INTERIM PROGRESS REPORT ON
VALUATION OF PROPERTIES PURSUANT TO
THE ORDER DATED 30.8.2018 PASSED BY
THIS HON'BLE COURT.

PAPER BOOK

Recd
12/17/2019

(FOR INDEX: PLEASE SEE INSIDE)

(MRS. ANIL KATIYAR)
ADVOCATE FOR THE RESPONDENTS

Work Order No. 889/2019

Rkg59

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IN THE SUPREME COURT OF INDIA

(Civil Original Jurisdiction)

Writ Petition (Civil) No. 188 of 2004

And connected matters

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IN THE MATTER OF:

M/s Raiganj Consumer Forum ...Petitioner

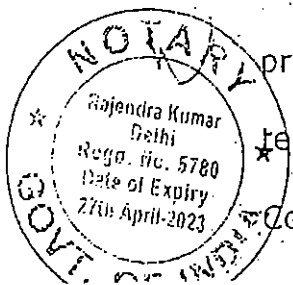
Versus.

Union of India and Ors. ...Respondents

**AFFIDAVIT TO PLACE ON RECORD THE FOURTH
INTERIM PROGRESS REPORT ON VALUATION OF
PROPERTIES PURSUANT TO THE ORDER DATED
30.07.2018 PASSED BY THIS HON'BLE COURT.**

I, Anup Kumar Dubey, aged about 55 years working as Special Director, Directorate of Enforcement having office at 5th floor, Lok Nayak Bhawan, Khan Market, New Delhi - 110003 do hereby solemnly affirm and state as under:-

1. That I am the deponent and part of the valuation team constituted by this Hon'ble Court vide order dated 30.07.2018 to submit a correct valuation of the properties mentioned in the auction notice issued in terms of the order dated 17.05.2018 of this Hon'ble Court.

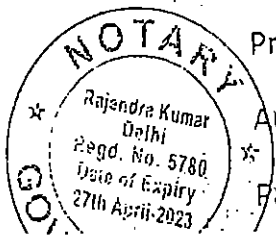


2. That an interim report in the form of first interim progress report has already been filed before this Hon'ble Court on dated 28.09.2018 and the second interim progress report on valuation of properties pursuant to the order dated 30.07.2018 passed by this Hon'ble Court has also been submitted on dated 26.10.2018. It is stated that the third interim report was filed on 06.03.2019 before this Hon'ble Court.

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3. That on 07.05.2019, this Hon'ble Court directed to complete the valuation job on or before 30.06.2019 and further directed to submit complete valuation report within 1st week of July. Accordingly, the valuation team is hereby filing the fourth interim report. The fourth interim report in original is annexed herewith and marked as **ANNEXURE - A**.

4. That the deponent filed valuation report with regard to properties in Part - A and 4 sets of properties out of 9 properties under Part - D along with affidavit dated 23.02.2019. It is submitted that the valuation of Properties which could be identified by District Authorities out of remaining 5 set of properties of the Part 'D' have been completed and same has been



Fourth Interim progress report on valuation of Properties in pursuance to the judgment of Hon'ble Supreme Court vide order dated 30.07.2018 in WP No. (C) 188 of 2004

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Result Achieved:

Part 'A' Properties

1. On the basis of available information, all the properties pertaining to part 'A' properties have been located and identified by the DVOs and the valuation of the properties have been completed and the status report have been submitted before the Hon'ble Supreme Court.

Part 'D' Properties

2. On the basis of available information, the remaining properties pertaining to Part 'D' which have been located and identified by District Authorities and valued by the DVOs is named as **Part 'D-1'**
3. The valuation details of all the identified property out of the 9 set of property in Part 'D' till now have been identified by District Valuation Offices (**Part-'D-1'**) may be summarized as under:-

Sr No.	Land / Building	Location	Value as Determined	As on Date of Inspection	Remarks
1	Lands in Andhra Pradesh (Now	Telangana	379,89,93,750/-	Valuation report dated 25.09.2018	<ul style="list-style-type: none">• Property to be valued• 1091.331 acre• Property valued

	known as Yadadri), Mandal Choutupal, District Nalgonda			(a) 25.09.2018 (b) 26.09.2018 (c) 26.09.2018 (d) 24.09.2018 (e) by VO, Hyderabad	1193 acre
2	Land in Haryana	District Ambala	15,41,59,500/-	Valuation report dated 25.06.2019 by DVO, Chandigarh	<ul style="list-style-type: none"> Property to be valued 505.658 acre Property valued 87.882 acre Remaining properties to be valued 417.776 acre
3	Lands in Haryana	District Panchkula	47,96,68,350/-	Valuation report dated 18.05.2019 by DVO, Chandigarh	<ul style="list-style-type: none"> Property to be valued 261.661 acre Property valued 114.752 acre 93.95 acre (property already valued under Part 'A' at Sl.no. 1, 5, 6, 8, 21, 22 and 23) Remaining properties to be valued 52.959 acre

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4	Lands in Madhya Pradesh	Garl Piplaya, District Indore	1,32,46,864/-	Valuation report dated 28.012.2019 by VO Indore	<ul style="list-style-type: none"> Property to be valued 10.911 acre Property valued 10.911 acre
5	Land in Orissa	Khurda	36,99,76,000/-	Valuation report dated 24.06.2019 by DVO Kolkata	<ul style="list-style-type: none"> Property to be valued 90.24 acre Property valued 90.24 acre
6	Land in Karnataka	Kolar	3,91,00,000/-	Valuation report dated 25.01.2019 by DVO Bangalore	<ul style="list-style-type: none"> Property to be valued 17 acre Property valued 17 acre
7	Land in Andhra Pradesh	Mandal Bibinagar, District Nalgonda	58,91,45,508/-	Valuation report dated 26.09.2019 by VO Hyderabad	<ul style="list-style-type: none"> Property to be valued 231.30 acre Property valued 242 acre
8	Land in Himachal Pradesh	Vill. Garkhal, Kasuli	5,01,70,400/-	Valuation report dated 17.05.2019	<ul style="list-style-type: none"> Property to be valued 7.50 acre Property valued 5 acre Remaining properties to be valued 2.5 acre

9	Office Room - 2 nd Floor	181/1 AJC Bose Road, Kolkata	1,56,68,606/-	Valuation report dated 21.06.2019	<ul style="list-style-type: none"> Property to be valued 1242 Sq.ft. Property valued 1242 Sq.ft.
Total			5,51,01,28,978/-		


Copy of the Valuation Report qua identified properties submitted by the DVOs are enclosed for ready reference as **Annexure-B**


4. The above referred progress report along with suggestions to speed up the process of valuation may kindly be brought to the notice of Hon'ble Apex Court for appropriate directions.

Encls: As above.

Dated: 04.07.2019

S. S. RATHORE
 Vice Chairman,
 Income Tax Settlement Commission
 Additional Bench-II, Ground Floor, Mahalaxmi Chambers,
 S.K. Rathod Marg, Mahalaxmi, Mumbai - 400 034. (S.S. Rathore)
Vice Chairman, Income Tax Settlement,
Addl. Bench - II, Mumbai


 (Sanjay Kumar Mishra)
 Director, Enforcement Directorate,
 New Delhi


 (Anup Kumar Dubey)
 Special Director (SD), Enforcement Directorate,
 New Delhi

PART 'D-1'

The details of the all Properties of Part 'D-1' and valuation done are tabulated below and copy of the relevant valuation reports are given as per page Nos. mentioned below:

S.No.	Details of Properties	Location	Value as determined	Documents enclosed	Page No. (Annexures-)
1.	Lands in Andhra Pradesh (Now known as Yadadri), Mandal Choutuppal, District Nalgonda (1091.331 Acre)	Telangana	379,89,93,750/-	Report filed in Part 'D' earlier	
2.	Land in Haryana, District Ambala (505.658 Acre)	Haryana	15,41,59,500/-	Valuation report dated 25.06.2019 by DVO, Chandigarh	1 to 4
3.	Lands in Haryana, District Panchkula (261.661 Acre)	Haryana	47,96,68,350/-	Valuation report dated 18.05.2019 by DVO Chandigarh	5 to 13
4.	Lands in Madhya Pradesh, Gari Piplaya, District Indore (10.911 Acre)	Madhya Pradesh	1,37,45,864/-	Report filed in Part 'D' earlier	
5.	Land in Orissa, Khurda (90.24 Acre)	Orissa	36,99,76,000/-	Valuation report dated 24.06.2019 by DVO Kolkata	14 to 16
6.	Land in Karnataka, Kolar (17 Acre)	Karnataka	3,91,00,000/-	Report filed in Part 'D' earlier	
7.	Land in Andhra Pradesh Mandal Bibinagar, District Nalgonda (231.30 Acre)	Andhra Pradesh	58,91,45,508/-	Report filed in Part 'D' earlier	
8.	Land in Himachal Pradesh Vill. Garkhal, Kasuli (7.50 Acre)	Himachal Pradesh	5,01,70,400/-	Valuation report dated 17.05.2019	17 to 26
9.	Office Room - 2 nd Floor, 181/1 AJC Bose Road, Kolkata (1242 Sq. ft.)	Kolkata	1,56,68,606/-	Valuation report dated 21.06.2019	27 to 31
Total			5,51,01,28,978/-		