

IN THE FEDERAL HIGH COURT OF NIGERIA  
HOLDEN AT KEBBI



**SWORN AFFIDAVIT OF FACTS IN RESPECT OF PURPORTED CONSENT**  
**PURPORTEDLY GIVEN TO EL TAH DAM COMPANY, LEADING TO GRANTING**  
**OF EXPLORATION LICENCE (EL) AND MINING LEASE (ML) TO THE**  
**COMPANY**

I, ABDULLAH USMAN, Male, Adult, Muslim, Farmer and Nigerian Citizen of LIBATA village, Ngaski Local Government, Kebbi State, Nigeria, do hereby make oath and declare as follows:

1. That I am the above-named person and whose passport photograph appears thereon.
2. That I am conversant with the subject matter in respect of which I depose to this affidavit.
3. That I am the person who filled and signed the consent form (as land owner) for one El Tahdam company, which was used to apply for licence and as a result of which Exploration Licence No. 45689 EL was granted to the said El Tahdam company, which also subsequently granted Mining Lease (ML) over the same area of land.
4. That this affidavit is necessary in order to set the record straight as regards the purported consent on the basis of which the said Exploration Licence No. 45689 EL was granted, and the subsequent Mining Lease to El Tahdam company.
5. That the said consent was obtained on mis-representation of facts. I did not know and I was not told that the parcel of land in respect of which my consent was obtained is already a subject of another Exploration Licence No. 45158 EL, belonging to Three Crown Mines Limited. Neither was I told that the said area was cut out of the said Three Crown's Exploration Licence No. 45158 EL.
6. That I was given the impression that, the land in respect of which my consent was sought and obtained, was different from the actual one which is now covered by the said Exploration No. 45689 EL granted to El Tahdam.
7. That I was misled to think that it was different land entirely. Thus, I was given a blank form to fill as the co-ordinates were not supplied on the form as at when I filled and signed the form.
8. That, more importantly, I am not the land owner and/or one of the land owners. I do not own any lands in any of the areas covered by the said Exploration Licence No. 45689 EL, granted to El Tahdam. I don't own any of the lands

covered by the said Exploration Licence and I did not represent myself as an owner or one of the owners of any lands in the said area covered by the said Exploration Licence No. 45689 EL.

9. That the consent obtained from me by El Tahdam, was for use in respect of another land, different from the one which the Exploration Licence now covers. I do not own any of the parcels of the lands over which the said El Tahdam company used the said consent and I did not give my consent over the said area.
10. That I was misled and the said El Tahdam company obtained the said consent from me based on mis-representation of facts to me, which I only got to discover now following the grant of the said EL to the company.
11. That I had written a letter dated 13<sup>th</sup> August, 2024, addressed and delivered to the Nigeria Mining Cadastre Office (MCO), wherein we explained the true position of things. Copy of the said letter is hereby attached as **Exhibit A**.
12. That I know that the land owners and the community know and recognise only Three Crown Mines Limited as far as the said area in question is concerned. Three Crown had sought and obtained consent in respect of the grant of Exploration Licence No. 45158 EL and Small-Scale Mining Lease No. 46216 SSML.
13. That I also know that Three Crown Mines Limited (Three Crown) has also, since February, 2024, commenced exploration and mining activities on the said lands, and the company has, since compensated the land owners for the use of the lands and have been carrying out developmental projects in the community, in compliance with Community Development Agreement.
14. That all the facts I have stated herein are true and correct.
15. That I depose to this affidavit conscientiously and in good faith believing same to be true and in accordance with the Oaths Act 2004.

  
DEPONENT

Sworn to at the Federal High Court  
Registry, Kebbi  
This 28 day of August 2024

BEFORE ME  
  
COMMISSIONER FOR OATHS  
FEDERAL HIGH COURT  
KEBBI STATE  
DATE 28/8/2024  
COMMISSIONER FOR OATHS