



NS Statement re Company Event

## ISSUE OF NOTICE OF DISPUTE WITH INDIA

[PANTHERA RESOURCES PLC](#)

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2 January 2024

**Panthera Resources Plc**  
("Panthera" or the "Company")

### Issuance of Notice of Dispute with India

Gold exploration and development company Panthera Resources Plc (AIM: PAT), with assets in West Africa and India, is pleased to announce that the Company's Australian subsidiary, Indo Gold Pty Ltd ("IGPL") has formally issued a Notice of Dispute ("NoD") to the Republic of India ("India") over the latter's breaches of its obligations under the 1999 Agreement between the Government of Australia and the Government of the Republic of India on the Promotion and Protection of Investments (the "Treaty").

Following the delivery of the NoD and in the absence of any meaningful correspondence in relation to this matter from the Government of India or if no amicable settlement is reached, IGPL will subsequently deliver a notice of arbitration to the Government of India. Any such notice of arbitration is anticipated to be delivered to the Government of India in this first quarter of 2024. Under the Treaty, an arbitral tribunal is to be constituted within two months of delivery of the notice of arbitration.

The Company is aware that on 30 September 2023 the Times of India reported that, based on information from the Geological Survey of India and the Additional Chief Secretary of Mines, the gold deposit at the site could be worth over US\$1 billion. This valuation has not been independently verified by the Company. Accordingly, while at this stage the Company is not able to make any comments in relation to the potential quantum of damages that IGPL will claim from India, the Company will in due course, announce the actual quantum of damages that IGPL will claim from India when available. This quantum may differ from that reported by third parties, including but not limited to, the Times of India.

### IGPL's Treaty Claims

The Bhukia Project comprises of legal rights that the Company holds via its Australian subsidiary, IGPL, in respect of an area that was the subject of a rejected Prospecting Licence Application in Rajasthan by Metal Mining Pvt Ltd ("MMI"). MMI is a wholly owned subsidiary of IGPL.

The Company made its initial investment in Bhukia (through IGPL) in in or around 2004. IGPL provided substantial funding and managed the joint venture exploration programmes. The work programmes were carried out in accordance with government rules and regulations and reported on time and in a professional manner.

IGPL's right to be granted a Prospecting Licence over Bhukia, through its joint venture holding, has been consistently frustrated over an extended period by the Government of Rajasthan ("Rajasthan"). The Prospecting Licence Application over Bhukia was rejected by Rajasthan again in August 2018, despite an agreement and Rajasthan's promise to grant the

Prospecting Licence, on various spurious and legally untenable grounds.

In 2021, India passed a new act ("MMDR2021") to amend the Mines and Minerals (Development and Regulation) Act of 2015 ("MMDR2015"). Under Clause 13 of the MMDR2021, the preferential right to a prospecting licence and subsequently, a mining lease, lapsed and provisions were included in the Act to reimburse parties for expenditures incurred. Under the Treaty, IGPL is entitled to fair and equitable compensation, not merely reimbursement of expenditures.

The acts and omissions by Rajasthan and India, culminating in the enactment of MMDR2021 and the recent dismissal of MMI's writ petition, amount to breaches by India of its obligations under the Treaty, including but not limited to, Article 3 (Promotion and Protection of Investments), Article 4 (Treatment of Investments) and Article 7 (Expropriation and Nationalisation). IGPL will be seeking damages from India.

There can be no certainty as to the outcome of IGPL's Treaty claims.

#### **Bhukia Background**

The Company completed a total of 20 holes drilled between 2005 and 2006 and in October 2006 reported a JORC compliant mineral resource estimate of 38.5 Mt @ 1.4 g/t Au for some 1.74 Moz gold using a cutoff of 0.5 g/t Au (updated in 2017 to comply with JORC 2012). In 2007, it advised shareholders of its plan to undertake a first-phase, systematic drill-out campaign upon grant of a prospecting licence, on well-defined exploration targets of 6 Moz gold. Its vision from early on was that Bhukia represented an exceptional gold project capable of supporting a large, low-cost, open pit gold mining operation with low stripping ratios and copper and cobalt by-product credits.

The Geological Survey of India, an agency of the Government of India, published a report in 2014 after the completion of over 150 drill holes (Bulletin Series A (April 2014)), wherein it reported at that point in time reserve/resource estimates of 6.7 Moz gold (excluding additional resources subsequently found through additional drilling by the Geological Survey of India).

#### **LCM Litigation Financing**

On 25 August 2023, the Company announced that IGPL had secured up to US\$13.6 million in litigation financing ("Facility") with LCM Funding SG Pty Ltd ("LCM Funding" or the "Funder"). LCM Funding is a subsidiary of Litigation Capital Management Limited ("LCM"), a firm quoted on the AIM Market of the London Stock Exchange. LCM is a leading global disputes funder with significant expertise in international arbitration and cross-border disputes, including bilateral investment treaty claims over mineral resource assets.

The non-recourse Facility is to be used by IGPL in prosecuting its Treaty claims against India. If no award and/or recovery are achieved, then LCM Funding is not entitled to any repayment of the Facility.

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#### **Qualified Person**

The technical information contained in this disclosure has been read and approved by Ian S Cooper (BSc, ARSM, FAusIMM, FGS), who is a qualified geologist and acts as the Qualified Person under the AIM Rules - Note for Mining and Oil & Gas Companies. Mr Cooper is a geological consultant to Panthera Resources PLC.

#### **Glossary**

JORC: Australasian Code for Reporting of Mineral Resources and Ore Reserves' of December 2012 ("JORC Code") as prepared by the Joint Ore Reserves Committee of the Australasian Institute of Mining and Metallurgy. Terms including Measured, Indicated and Inferred Resources as defined therein

Mt: Million Tonnes (Metric)

g/t: Grammes per Tonne (Metric)

Moz: Million Ounces (Troy)

Au: The chemical element for Gold

#### **Forward-looking Statements**

This news release contains forward-looking statements that are based on the Company's current expectations and estimates. Forward-looking statements are frequently characterised by words such as "plan", "expect", "project", "intend", "believe", "anticipate", "estimate", "suggest", "indicate" and other similar words or statements that certain events or conditions "may" or "will" occur. Such forward-looking statements involve known and unknown risks, uncertainties and other factors that could cause actual events or results to differ materially from estimated or anticipated events or results implied or expressed in such forward-looking statements. Such factors include, among others: the actual results of current exploration activities; conclusions of economic evaluations; changes in project parameters as plans continue to be refined; possible variations in ore grade or recovery rates; accidents, labour disputes and other risks of the mining industry; delays in obtaining governmental approvals or financing; and fluctuations in metal prices. There may be other factors that cause actions, events or results not to be as anticipated, estimated or intended. Any forward-looking statement speaks only as of the date on which it is made and, except as may be required by applicable securities laws, the Company disclaims any intent or obligation to update any forward-looking statement, whether as a result of new information, future events or results or otherwise. Forward-looking statements are not guarantees of future performance and accordingly, undue reliance should not be put on such statements due to the inherent uncertainty therein.

**\*\*ENDS\*\***

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