

**MINUTES OF THE FOURTH MEETING OF THE BOARD OF DIRECTORS
HELD AT 2.30 PM ON 24TH DECEMBER 2009 AT THE REGISTERED
OFFICE OF THE COMPANY, 2ND FLOOR, OFFICE OF THE DEPUTY
COMMISSIONER-BANGALORE , BEHIND CITY CIVIL COURT
COMPLEX, K.G. ROAD, BANGALORE.**

Present:

- | | |
|--------------------------------|---------------------|
| 1. Sri K Jyothiramalingam, IAS | - Director |
| 2. Ms V Manjula, IAS | - Managing Director |
| 3. Sri G M Dhananjaya, IAS | - Director |
| 4. Sri Shanthappa N. KAS | - Director |

By Invitation:

- | | |
|--------------------------|-------------------------------------|
| 1. Sri Basappa, KAS | - General Manager |
| 2. Sri. Vijayakrishna KT | - Company Secretarial
Consultant |

Sri. K Jyothiramalingam, IAS, Director was elected to the chair and he conducted the proceedings.

ITEM NO. 1 : LEAVE OF ABSENCE:

Leave of absence was granted to Sri. D. Thangaraj and Sri M R Sreenivasamurthy who had sought leave of absence.

ITEM NO. 2 : CONFIRMATION OF THE MINUTES OF THE PREVIOUS BOARD MEETING:

Minutes of the 3rd Board Meeting held on 23.9.2009 as circulated amongst the Directors were confirmed.

ITEM NO. 3 : ACTION TAKEN IN RESPECT OF PREVIOUS MINUTES:

Detailed Action Taken Report on the Minutes of the 3rd Board Meeting held on 23.9.2009 as circulated was studied by the Board.

The Board noted as follows, with suitable further briefing by Managing Director:

- Orders have been issued re-designating the post of the Managing Director, Karnataka Public Lands Corporation as Secretary to Government, Revenue Department and ex-officio Managing Director, Karnataka Public Lands Corporation vide Government Order No. DPAR 350 SAS 2009 dated 22nd September 2009. The scope of work has been defined by the Government vide

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Order No RD 388 LGB 2008 dated 4.11.2009, which as circulated was taken note of.

2. The Karnataka Land Army Corporation has completed the fencing of open spaces in sy.no 211 of Banasawadi. Chairman desired to have more details of this site which were accordingly furnished. Managing Director briefed on the background of this site related issue fully.
3. The NIC has submitted an approach paper on preparation of application software for Government land Management System. Official Memorandum has been issued on 22.9.2009 approving the proposal to entrust the work to NIC. Procurement of computers is under process.

ITEM NO. 4 : Noting of the resolution passed by circulation:

The Board noted that the following Resolution was passed by Circulation vide letter dated 14.10.2009:

“RESOLVED THAT considering the need to address the various litigation and Court matters relating to Government land, approval be and is hereby accorded to set up legal cell and to engage the services of three (3) Legal Specialists including a retired District and Sessions Judge as head of the Legal Cell and also two (2) Law Officers with suitable qualifications and also outsource the services of the Stenographer.

RESOLVED FURTHER THAT wherever required the posts be created with the approval of the Government.

FURTHER RESOLVED THAT the Managing Director be and is hereby authorised to take all such steps as may be necessary for the same and to inform the Board.”

ITEM NO. 5 : APPROVAL FOR LEGAL FEE STRUCTURE FOR THE ADVOCATES ON THE PANEL:

The Board was apprised as follows:

Approval of the Board of Directors was obtained on 14.10.2009 to engage the services of a retired District and Session Judge as head of Legal Cell and to engage the services of two Law officers on contract basis and to obtain the services of the Stenographer, Data Entry Operator and a Group D official from a Man power agency. The Government vide its order No. DPAR 350 SAS 2009 dated 22.9.2009 has designated the Managing Director, Karnataka Public Lands Corporation, Bangalore as Secretary, Revenue Department & Ex-officio Managing Director, Karnataka Public Lands Corporation Bangalore. The Government vide its order No. RD 566 LGB 2009 dated 19.9.2009 created a Task Force for protection of government lands and the Managing Director, Karnataka Public Lands Corporation Ltd. is the Member

Secretary of the Task Force. The Managing Director, Karnataka Public Lands Corporation Ltd., has the responsibility to take necessary action to remove the encroachments on government lands and to ensure proper defence on behalf of Government in the High Court and Civil Courts as per the scope of work defined by the Government vide Government Order No. RD 388 LGB 2008 dated 4.11.2009.

In most cases involving Government lands especially in and around Bangalore city, the encroachers rely upon fabricated documents like grant orders, RTCs etc. In a large number of cases, the revenue records have also been tampered by encroachers in collusion with the revenue officials. Certain cases were quoted by the Managing Director.

Therefore, if Government has to recover valuable government land, there has to be effective representation on its behalf in the High Court and Civil Courts. It would mean that the advocates representing Government shall have to be competent, professional and also should be persons with integrity. It will not be possible to get such advocates to plead on behalf of Government by paying them pittance while the encroacher is engaging senior counsels. It is proposed to identify advocates with competence and integrity with the help of the Legal Advisor of the Task Force and to invite them to be on the panel of the Karnataka Public Lands Corporation Ltd.

Discussions held with the Legal Head of Task Force, study of fees structures in BDA, Karnataka Housing Board were recapitulated by the Managing Director. She presented before the Board proposals of fee structure for definite types of possible litigations or cases before various Courts and also mentioned about those cases which may be out of the said list. It was further stated that the schedule of legal fees has been prepared after obtaining information about the fees paid in Karnataka Housing Board, Bangalore Development Authority, Bangalore Metropolitan Transport Corporation, Bangalore, Bangalore Water Supply & Sewerage Board and Karnataka Industrial Areas Development Board etc. The Managing Director met the Advocate General on 18.12.2009 and apprised him of this proposal. He had given his concurrence.

There were queries from Directors on some of the logistic issues of appointing advocates for the panel and the Managing Director replied suitably.

After detailed discussions, the Board approved the following fee structures for the advocates:

HIGH COURT

Sl. No.	Type of the case	Proposed fee Senior Advocates	Junior Advocates
1.	a. Writ Petitions/Writ Appeals (Where the Government is respondent) b. Writ Petitions/Writ Appeals (Where the Government is petitioner/appellant)	Rs. 6,000/- Rs. 6,000/- + actual expenses per case.	50% of the proposed fee for the Senior advocates.
2.	Clubbed cases	Rs. 6,000/- for the first case and Rs. 1000/- each for subsequent cases.	
3.	a. For filing caveat petitions b. Caveats for more than one party Involving the same matter.	Rs. 1,250/- Rs. 1,250/- for the first case and Rs.500/- each for subsequent cases.	
4.	Civil Appeals (RFA/RSA etc) a. (Where the Government is the respondent) b. (Where the Government is the appellant)	Rs. 6,000/- Rs. 6,000/- + actual expenses per case.	
5.	Contempt Cases.	Rs. 5,000/-	

CIVIL COURT

Sl. No.	Type of the case	Proposed fee Senior Advocates	Junior Advocates
1.	Original Suits (Where the Government is the defendant)	Rs. 4,000/-	50% of the proposed fee for the Senior advocates.
2.	Original Suits (Where the Government is the plaintiff)	Rs. 4,000/- + actual expenses per case.	
3.	Miscellaneous Cases	Rs. 3,000/-	

In other matters not covered by the above fee structure, the Managing Director was further authorized to pay the fees based on the merits of each case. In exceptional cases, where large chunks of Government land are involved and where the case is complex, the Managing Director, Karnataka Public Lands Corporation Ltd be authorized to pay a special fee over and above the fees proposed in consultation with the head of the legal cell.

ITEM NO. 6 : REORGANISATION OF THE KARNATAKA PUBLIC LANDS CORPORATION LTD:

A detailed note circulated on the proposal was taken up for consideration. Managing Director further apprised the Board on the background of the objectives of the Company and the basic infrastructures needed as against the sanctioned staff. It was noted that the Government vide its Government Order No. RD 518 LGB 2008 dated 23.1.2009 had sanctioned the following staff to the Company:

Sl. No.	Designation (Pay scale)	No.of posts created	Filling up by way of
1.	Managing Director (Rs. 37400-63700)	1	Senior/ Super time scale IAS
2.	Company Secretary (Rs. 20000/-)	1	By Out source or on contract
3.	General Manager (Rs. 20025- 28275)	1	KAS senior Scale
4.	Chief Accounts Officer (Rs. 20025 -- 28275)	1	State Accounts Dept.
5.	Assistant Commissioner Rs. 15200-25650)	1	KAS
6.	Tahsildar (Rs. 11400-21600)	2	KAS

The following posts were deployed to the Karnataka Public Lands Corporation from the office of Special Deputy Commissioner, Enforcement by the Government vide GO No. RD 518 LGB 2008 dated 22.1.2009:

Sl. No.	Designation	No.of posts.
1.	First Division Assistants	2
2.	Second Division Assistants	1
3.	Stenographer	1
4.	Group D	1
5.	Panel of Advocates	1

As on date, the Company has obtained the services of 2 peons with effect from 23.3.2009 and one driver with effect from 1.4.2009 through a man power agency. The Company has obtained the services of a Stenographer on deputation basis and has obtained the services of a Company Secretary on retainer ship basis. Two Tahsildars have been posted. One joined on 2.9.2009 and the other on 19.11.2009. One vehicle along with driver has been hired with effect from 27.11.2009. One vehicle from the office of the Special Deputy Commissioner, Enforcement cell has been allotted to one Tahsildar and the services of the driver have been engaged through the man power agency with effect from 26.9.2009. In addition, considering the requirement, the services of a Data entry operator have been taken through a man power agency with effect from 1st December 2009. It is also proposed to engage the services of two group D officials through a man power agency. The Company has been in existence for a while and recently, vide its order No. DPAR 350 SAS 2009 dated 22.9.2009, Government has designated the Managing Director, Karnataka Public Lands Corporation, Bangalore as Secretary, Revenue Department & Ex-officio Managing Director, Karnataka Public Lands Corporation Bangalore. The scope of work has been defined vide Government order No. RD 388 LGB 2008 dated 04.11.2009. The Government vide G.O. No. RD 556 LGB 2009 dated 19.9.2009 has also appointed the Task Force for protection of Government lands with a term of one year and the Managing Director, Karnataka Public Lands Corporation Limited is also a Member Secretary of Task Force. With the Task Force coming into being, a number of complaints are being received from various parts of the State. The Task Force is supposed to be an implementing body, therefore follow up action on complaints needs to be taken and as Karnataka Public Lands Corporation is expected to be providing secretarial assistance to the Task Force, it also needs to be strengthened to play such an important role. It is felt that the present sanctioned staff will not be sufficient to carry out the mandate entrusted to the Karnataka Public Lands Corporation Limited. As of now, most of the clerical assistance obtained by the Company is from the Enforcement Cell of the Deputy Commissioner. Considering that the Company is expected to be an Estate Department of the State, it would be a good idea to seek transfer the Enforcement Cell to the Company. There is also a Special Task Force headed by a DIG in Bangalore Urban District. Transfer of the STF to the Company would help in proper supervision of its activities and also help in planning for encroachment removal.

There were many queries on the transfers, recruitments, approvals of the Government etc. which were addressed suitably. It was noted that the Company needs creation of certain posts and justifications thereof were fully appraised to the Board. To a specific question, the Managing Director replied that the overall costs of the reorganization in terms of salaries etc. will be about Rs3.60 crores per annum and that this would be presently met out of the amount of Rs10 crores initially released by the Government.

After detailed discussions, subject to approvals of the Government wherever necessary, the Board approved the following reorganization proposal of the Company and the Managing Director was authorized to give effect to it accordingly:

Estate & Enforcement Wing:

This wing will have the entire staff of the office of the Special Deputy Commissioner, Enforcement as per Staffing pattern below:

Sl. No.	Designation	No. of Posts
1.	Special Deputy commissioner (Enforcement)	1
2.	Assistant Commissioners	2
3.	Tahsildars	2
4.	Sheristedars	7
5.	Manager	1
6.	First Division Assistants	8
7.	Second Division Assistants	2
8.	Stenographer	1
9.	Typist	1
10.	Driver	1
11.	Group D Officials	2

and the staff of the Special task force as per staffing pattern below:

Sl. No.	Designation	No. of Posts	Scale Rs.
1.	Deputy Inspector of General	01	24,600/-
2.	Superintendent of Police	02	18,150/- to 26,925/-
3.	Deputy Superintendent of Police	04	14,050/- to 25,250/-
4.	Police Inspector	04	18,800/- to 20,025/-
5.	Police Sub Inspector	04	10,000/- to 18,150/-
6.	Head Constable	10	6,250/- to 12,000/-
7.	Police Constable	35	5,800/- to 10,500/-
8.	Superintendent	01	10,000/- to 18,150/-
9.	First Division Assistants	01	7,272/- to 13,250/-
10.	Second Division Assistants	01	5,800/- to 10,500/-
11.	Stenographer	01	7275/- to 13,350/-
12.	Typist	10	5,800/- to 10,500/-

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Revenue Vigilance Wing:

Sl No.	Officers/officials	No.of posts	
1.	General Manager	1	These posts have already been sanctioned vide Govt. Order No. RD 518 LGB 2008 dated 23.1.09 to KPLCL and the posts of Tahsildars have already been filled up.
2.	Assistant Commissioner	1	
3.	Tahsildars	2	
4.	First Division Assistants	2	Redeployed vide GO.No.RD 518 LGB 2008 dt. 22.1.2009
5.	Second Division Assistants	1	
6.	Joint Director of Land Records/Deputy Director of Land Records	1	Services to be obtained from the Commissioner, Survey and Settlement. Posts to be created.
7.	Supervisors	2	
8.	Surveyors	4	
9.	Data entry operator/stenographer	1	Services through a manpower agency
10.	Group "D" official	1	Services through a manpower agency

Company affairs:

Sl. No.	Officers/officials	No.of posts	
1.	Company Secretary	1	Services have already been taken on retainer ship basis.

Finance and Personnel Wing:

Sl. No.	Officers/officials	No.of posts	
1.	Accounts Officer	1	} Posts to be created.
2.	Accounts Superintendent	1	
3.	Accounts Assistants	2	
4.	Stenographer/data entry operator	1	Through manpower agency.
5.	Group D official.	1	Through manpower agency.

* One Accounts Assistant will also assist the Company Secretary in addition to his/her regular duties.

Engineering Wing:

Sl. No.	Officers/officials	No.of posts
1.	Executive Engineer.	1
2.	Assistant Executive Engineer	1
3.	Assistant Engineers	2
4.	Stenographer/data entry operator	1
5.	Group D official.	1

Legal Wing:

Sl. No.	Officers/officials	No.of posts	
1.	Head of Legal Cell	1	Approved by the Board vide 14.10.2009. Proposal has to be submitted for creation of posts.
2.	Law Officers	2	
3.	Stenographers	1	
4.	Group D official.	1	

Computer Wing:

Sl. No.	Officers/officials	No.of posts	
1.	I.T. Manager	1	To be created.
2.	One Programmer.	1	

Managing Director's Wing:

Sl. No.	Officers/officials	No.of posts	
1.	Managing Director	1	
2.	Special Officer	1	
3.	Stenographer	2	One post is created vide GO No RD 518 LGB 2008 Dt.22.1.2009 and one is proposed to be taken on contract basis.
4.	Group D Official	1	
5.	Driver	1	

This man power is required for smooth and effective functioning of the Company, it was noted.

The Board further authorised the Managing Director to outsource wherever exigencies arise and until receipt of any approvals from the Government for creation of any new posts keeping in mind the best interest of the Company.

ITEM NO. 7 : Additional accommodation for the company:

The Board noted the following:

The existing office space (2736 sq ft) is not sufficient as KPLC Ltd has to accommodate the Task force and its members. On the request of the Company, the Deputy Commissioner, Bangalore (Urban) district allotted an additional space of 2,200 sq.ft in the 3rd floor of Deputy Commissioner Office building. Administrative approval has been given to provide partitions, furniture etc., in the 3rd floor at an estimated cost of Rs. 16,61,500/- The work has been entrusted to Nirmithi Kendra. The Deputy Commissioner, Bangalore Urban District has spent Rs.22,88,000/- lakhs out of his funds for partitions and supply of furniture to Karnataka Public Lands Corporation in the existing office. He has requested the Company to take up interior work of his office on the 4th floor of the building. Administrative approval has been given to take up interior works for the 4th floor at the cost of Rs.16,11,100/- on the condition that this expenditure will be adjusted against the expenditure already incurred by the Deputy Commissioner, Bangalore Urban District. The work has been entrusted to the Nirmithi Kendra.

With due understanding of the circumstances, the Board approved the proposal and authorized the Managing Director to give effect to the same.

ITEM NO. 8 : APPOINTMENT OF HEAD OF LEGAL CELL:

Withdrawn.

ITEM NO. 9 : Appointment of Special Officer to assist the Task Force and Managing Director, Karnataka Public Lands Corporation Ltd.

Withdrawn.

ITEM NO. 10 : ACTIVITIES OF THE COMPANY:

Following were brought to the notice of the Board with due briefing by the Managing Director:

1. Administrative approval was given for fencing of 2 acres 16 guntas of land freed from encroachments in Sheshagiripura at an estimated cost of Rs.2,10,000/-. The Board ratified the action taken in the interest of the Company by the Managing Director.

2. The meeting hall of the Company has been furnished at a cost of Rs. 2,91,134/-. Understanding the urgency, the Board ratified the action taken by the Managing Director.
3. **Litigation:** The Managing Director, Karnataka Public Lands Corporation has been impleaded as a party in writ petition No. WP 11846/07. The special Advocate for Government lands Sri. Krishna Murthy is representing the Company.

OTHER BUSINESS TRANSACTED WITH THE PERMISSION OF THE CHAIR:

ITEM NO. 11 : APPOINTMENT OF HEAD OF LEGAL CELL:

It was recalled that the Board of Directors had approved the proposal to appoint Sri. R.S. Ramanna as the Head of Legal Cell on 14.10.2009. However, Sri. Ramanna has since expressed his inability to join the Company on contract basis. The Managing Director recalled the consultations with the Legal Advisor of the Task Force and apprised the Board of the need to select a proper and experienced, competent person of good repute. She stated that the person has to be some retired judicial officers. The minimum compensation expected from any such person would be about Rs 46,000/- (Rupees forty six thousand) per month inclusive of the conveyance expenditure, she added.

After due deliberations, the Board authorised the Managing Director to take up the prescribed process of selection of suitable person on overall remuneration of Rs46,000/-(Rupees forty six thousand only) per month inclusive of conveyance expenditure and if so required, seek the approval of the Government.

The Board was briefed as under:

The Company has jurisdiction extending to the entire state. The primary objective of the Company and the Task Force is to recover the Government lands from the encroachers. This will require extensive co-ordination with revenue officers and officers of statutory bodies like BDA, BBMP etc. Necessity to recruit a competent Officer as Special Officer to assist and advise the Managing Director, who is also the Member Secretary, Task Force in all matters relating to Government lands was very well appreciated by the Board. The Board felt that the candidate should have experience and expertise in documentation of Government lands and also in scrutiny of records.

After due deliberations, the Board approved the proposal of recruiting an experienced person with good experience and authorised the Managing Director to initiate the process of selection either as Executive or on contract basis for the time being, with overall remuneration of Rs46,000/-(Rupees forty six thousand only) per month inclusive of conveyance expenditure and that this be subject to approval of the Government.

ITEM NO. 13 : DELEGATION OF POWERS TO THE MANAGING DIRECTOR:

The Board advised that suitable Delegation of Powers to the Managing Director be placed before the Board so that matters relating to the day to day operations of the Company be exercised by the Managing Director without any redundant recourse to the Board.

ITEM NO. 14 : SITTING FEES TO THE DIRECTORS:

In line with the prevailing guidelines of the Government, the Board passed the following Resolution fixing the sitting fee for the Directors:

“RESOLVED THAT in line with the prevailing guidelines of the Government of Karnataka, approval be and is hereby accorded to pay sitting fee of Rs 500/- per Director excluding the Managing Director, per Meetings of the Board or Committees attended and that this be made effective from this Meeting”.

ITEM NO. 15 : CONSTITUTION OF THE COMMITTEES:

In order to facilitate smooth and effective functioning of the affairs of the Company and to comply with various requirements, the Board decided to constitute the following Committees:

A. Investment Committee:

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|----------------------------|---------------------|
| 1. Ms V Manjula, IAS | - Managing Director |
| 2. Sri G M Dhananjaya, IAS | - Director |
| 3. Sri Shanthappa N, KAS | - Director |

The investment committee has to act in accordance with the guidelines issued by KSBPE from time to time.

Chairman also suggested studying the need to constitute Audit Committee and the Managing Director agreed to do the same and revert back to the Board.

There being no other business to transact, the meeting concluded with vote of thanks to the chair.

Sd/-
(K.Jothiramalingam)
Chairperson.

Copy to all concerned.