

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS HELD AT 11.30 AM ON 19<sup>th</sup> DECEMBER, 2012 IN THE CHAMBERS OF PRINCIPAL SECRETARY, REVENUE, GOVERNMENT OF KARNATAKA, ROOM NO. 510, 5<sup>TH</sup> FLOOR, 3<sup>RD</sup> BLOCK MULTI-STORIED BUILDING, BANGALORE- 560 001**

**PRESENT:**

- |                               |                     |
|-------------------------------|---------------------|
| 1. Smt Latha Krishna Rao, IAS | - Chairperson       |
| 2. Shri A K Monnappa, IAS     | - Managing Director |
| 3. Shri G C Prakash, IAS      | - Director          |
| 4. Shri Raja Naik             | - Director          |

**BY INVITATION:**

- |                                 |                                  |
|---------------------------------|----------------------------------|
| 1. Shri G N Nayak, IAS(Retired) |                                  |
| 2. Shri Manu Baligar, KAS       | - General Manager                |
| 3. Shri Vijayakrishna K T       | - Company Secretarial Consultant |
| 4. Shri A L Pujar               | - Legal Head                     |
| 5. Shri Suresh                  | - Finance Manager                |

Smt Latha Krishna Rao, IAS, Chairperson occupied the chair and conducted the proceedings of the Meeting.

Sri A K Monnappa, IAS, extended hearty welcome to Smt Latha Krishna Rao, IAS, newly appointed Chairperson in place of Sri Ashok Kumar C Manoli, IAS and also to Dr G C Prakash, IAS newly appointed Director in place of Sri M K Aiyappa, IAS.

The Board passed the following Resolution:

“RESOLVED THAT Smt Latha Krishna Rao, IAS be and is hereby appointed as Director and Chairperson of the Company as per the directions of the Government of Karnataka.

FURTHER RESOLVED THAT any one of the Directors be and is hereby authorized to file/upload the required Forms and Returns with the Registrar of Companies.”

**ITEM NO. 1: LEAVE OF ABSENCE:**

Leave of absence was granted to Shri L.V. Nagarajan, IAS, Sri K Shivaram, IAS and Dr. Amitha Prasad, IAS who have expressed their inabilities to attend the Meeting.

**ITEM NO. 2: RECONSTITUTION OF THE BOARD:**

**A) INDUCTION OF SRI K SHIVARAM, AS DIRECTOR IN PLACE OF SRI S D MEENA, IAS,:**

The Board noted the nomination by the Government appointing Sri K Shivaram in place of Sri S D Meena, IAS.

The Board passed the following Resolution:

“RESOLVED THAT the Board be and is hereby noted the appointment of Sri K Shivaram as Director of the Company in place of Sri S D Meena, IAS, as per the directions of the Government of Karnataka.

FURTHER RESOLVED THAT any one of the Directors be and is hereby authorized to file/upload the required Forms and Returns with the Registrar of Companies.”

**B) INDUCTION OF DR. G C PRAKASH AS DIRECTOR IN PLACE OF SRI M K AIYAPPA, IAS:**

The Board noted the nomination by the Government appointing Dr. G C Prakash in place of Sri M K Aiyappa, IAS.

The Board passed the following Resolution:

“RESOLVED THAT the Board be and is hereby noted the appointment of Dr. G C Prakash as Director of the Company in place of Sri M K Aiyappa, IAS, as per the directions of the Government of Karnataka.

FURTHER RESOLVED THAT any one of the Directors be and is hereby authorized to file/upload the required Forms and Returns with the Registrar of Companies.”

**ITEM NO. 3: CONFIRMATION OF THE MINUTES OF THE PREVIOUS BOARD MEETING:**

Minutes of the previous Board Meeting held on 12<sup>th</sup> July, 2012 as circulated were confirmed.

**ITEM NO. 4: ACTION TAKEN ON THE DECISIONS OF THE PREVIOUS BOARD MEETING:**

Detailed Action Taken Report on the Minutes of the previous Board Meeting as circulated was studied and was taken on record by the Board. Chairperson

3

raised queries on certain actions to be taken especially on Holenarasipura matter etc. and instructed to follow-up with the Assistant Commissioner, Hassan Sub-Division and expedite the matter. The Managing Director explained in detail on the query and further covered on the other actions taken issues relating to previous Minutes which were noted.

**ITEM No. 5: APPROVAL OF DIRECTORS' REPORT FOR 2011-12:**

Draft of Directors' Report for 2011-12 as circulated was considered and the Board passed the following Resolution;

"RESOLVED THAT Directors' Report for 2011-12 as per draft placed before be and is hereby approved and Chairperson be authorised to sign the same on behalf the Board."

It was noted that the 3<sup>rd</sup> Annual General Meeting has been convened at 12.30 pm on 19<sup>th</sup> December, 2012 and the action taken by Managing Director in convening the Annual General Meeting was ratified.

**RESOLUTION BY CIRCULATION DATED 10.09.2012:**

The Board noted that the following Resolution was passed by circulation of on terms of Section 289 of the Companies Act, 1956:

"RESOLVED THAT approval be and is hereby accorded to make an application to the Ministry of Corporate Affairs, Government of India, seeking extension of time to hold the Annual General Meeting beyond 30<sup>th</sup> September, 2012 for adoption of Accounts for the year 2011-12.

RESOLVED FURTHER THAT the Managing Director or any one other Director be and is hereby authorized to make an application on behalf of the Board, to the Ministry of Corporate affairs, Government of India, seeking extension of time to hold the Annual General Meeting for the year 2011-12 beyond 30<sup>th</sup> September, 2012."

**ITEM No. 6: REPORT ON LEGAL CELL:**

The Board noted the Following:

Sri A. L. Pujar, Retired District and Sessions Judge, has been the Head of Legal Cell, KPLC and Smt K. L. Varalakshmi has been appointed as Stenographer. Further, Sri A.S. Rajanna, Retired Sheristedar has been working as Legal Assistant.

4

With the assistance of available skeleton staff stated above, the Legal Cell has been working. The cases involving Government lands wherein, Principal Secretary to Government, Revenue Department, Deputy Commissioners and Special Deputy Commissioners, Assistant Commissioners and Tahsildars have been impleaded as parties in various suits, appeals, writ petitions, writ appeals etc., are dealt with and monitored by the Legal Cell. In this connection, several meetings of all Tahsildars of Bangalore Urban and Rural district have been convened and sufficient in-depth discussions have been held to monitor the cases pertaining to Government lands pending in Civil Courts and High Courts. Further, Tahsildars have been requested to furnish the basic information about the number of original suits, regular appeals, miscellaneous petitions, writ petitions, writ appeals etc., pending in Civil courts and High Court, pertaining to Government lands. These upto date informations have not been furnished by the concerned Tahsildars. However, some of them have sent some information and list of cases which are not comprehensive and more than that, which are quite outdated. It could be stated that the furnishing of the information in the form of statements, that too, by some of the Tahsildars appears to be an eye-wash on the part of the Tahsildars.

The details of pending court cases in respect of government lands as reported by the Tahsildars and identified by KPLC so far, are as follows:

Sl. No.	Name of Taluk	Reported by Tahsildar	Identified by KPLC	Total
1	East	89	37	126
2	South	30	41	71
3	North	32	25	57
4	North (Addl.)	65	07	72
5	Anekal	123	150	273
	<b>TOTAL</b>	<b>339</b>	<b>260</b>	<b>599</b>

Pursuant to the report given by the Regional Commissioner, Bangalore Division, in respect of 428 cases, the Government and KPLC have taken steps to appoint 9 Panel advocates exclusively to file writ petitions before the Hon'ble High Court and Photostat copies of all these 428 cases were given to the Panel Advocates along with certified copies of the impugned orders and the other available documents. Further, some writ petitions have been disposed of and the writ appeals have been filed challenging the orders passed by the Hon'ble High Court in Writ petitions. All these details were placed before the Board.

Similarly, KPLC has taken steps to entrust the cases to following Panel advocates wherein, the government lands are involved:

Sl. No.	Name of the Advocate	Cases entrusted	Remarks
1.	R. I. D'sa	14	High Court
2.	Niloufer Akbar	1	High Court
3.	G. Krishnamurthy	29	High Court
4.	Chittappa	108	High Court
5.	Prakash Hegde	24	Trial Court
6.	Laxminarayan N. Hegde	5	Trial Court
7.	K. S. Venkataramanappa	9	Trial Court
8.	Sunitha H. Singh	59	Trial Court
9.	B. M. Maheshwara	16	Trial Court
10.	R. A. Patil	1	High Court, Circuit Bench, Gulbarga
11.	Vilas Rao Patil	1	High Court, Circuit Bench, Gulbarga
	<b>TOTAL:</b>	<b>267</b>	

However, so far as Sri G. Krishnamurthy and Sri Chithappa, Special Government Advocates are concerned, they have written letters stating that they have retired from the Government cases and they have requested to make alternative arrangements in respect of those files and to take back those files from them. Steps are being taken by writing letters to Tahsildars to take back the files relating to Government cases entrusted to them and to bring to this KPLC such of those files wherein, the Legal Cell of KPLC has issued authorisations to them, with a view to make alternative arrangements by appointing other Panel Advocates. The reports from the Tahsildars are awaited. Further, the letters are being written to Sri G. Krishnamurthy and Sri Chithappa, Special Government Advocates stating them that the Legal Cell, KPLC would make alternative arrangements with regard to appointment of Panel Advocates in respect of such of those cases wherein, the Legal Cell, KPLC has issued the authorisations to them and further requesting them to take necessary steps to write to other authorities/Government, with regard to other files in respect of which files, this Legal Cell, Corporation has not appointed them as advocates.

Pursuant to G.O.RD 32 LRM 2012 dated 18.05.2012 issued by the Principal Secretary to Government, Revenue Department in respect of 49 cases which involve the orders passed by the Land Tribunal and Special Deputy Commissioner for Inam Abolition, writ petitions are required to be filed and in this regard, these 49 cases have been entrusted to the advocates, the details of which were placed before the Board. The Tahsildars of respective taluks have

been appointed as Litigation Conducting Officers in those 49 cases. With regard to actual filing and progress of these cases, the reports are awaited by the Legal Cell from Panel Advocates and the Tahsildars.

The Legal Cell has been monitoring the progress of all the above said matters by taking instructions from the Tahsildars, Deputy Commissioners concerned. The Legal Cell has been preparing or assisting for preparation of statements of objections, para-wise remarks and written statements. Based on the instructions furnished by the concerned officials / officers and the records made available to the Legal Cell. It has been co-coordinating with the Panel of Advocates and Revenue Officers. In this regard, several meetings have been held with the Panel of Advocates and with the Tahsildars and Revenue officers. Effective steps are being taken for resisting the suits, appeals, writ petitions, writ appeals etc. Several letters have been written to the Tahsildars issuing certain directions, directing to do certain acts. However, there is cold response from the Tahsildars for the efforts of Legal cell. It can be got verified by examining some files by picking up at random.

Further, computer programme has also been developed with the help of the NIC and the same is being partly in use in this Legal Cell.

Chairperson directed that letters be issued to the DCs/ ACs immediately seeking the status of all the cases.

Sri A L Poojar explained the difficulties faced in terms of:

- a) Lack of adequate staff and infrastructure support.
- b) Lack of any response from Tahsildars.
- c) Lack of understanding of the importance of the cases by Tahsildars

Chairperson directed that details of the cases filed by the Company, value of the land involved, number of cases decided in favour of the Government and against, and the status be furnished to her and be circulated early.

Chairperson sought to have information on the panel of the Advocates in the company and the cases handled by them and the information on the land taken back, if any, by the Government which were agreed to be furnished separately.

Status on the matter relating to Laughing Water was furnished. Sri S L Poojar was requested to draft circular to be addressed to all the DCs informing them about the availability of legal assistance from KPLC.

Chairperson directed the following which were agreed to, by all the Directors:

- a) Special DCs be advised to dispose of the cases expeditiously.
- b) DC Bangalore Urban to coordinate with all Tahsildars and bestow special attention relating the Court cases pertaining to Government lands in various Courts.
- c) Sri A L Pujar was requested to be present at the Meeting of Tahsildars with details, so that the Tahsildars may be directed at the Meeting to follow up.
- d) All long pending cases to be followed up expeditiously.
- e) The values of the Government land being very high, higher level of concern is raised and hence aggressive force to be used towards recovery of encroached land.
- f) The KPLC has to be strengthened by shifting 50% of the staff sanctioned to Enforcement Cell, to KPLC, so that half the present Enforcement Cell could be brought under the control of KPLC, while the remaining half will work under the DC, Bangalore Urban.
- g) The Company to be impleaded in all the cases and DCs may engage separate Lawyers subject to legality of the matter, to forcefully argue the case before the Court.
- h) Necessary staff and infrastructure support will be provided to the Company carry out its obligations.

The Board also discussed on the financials, release of funds to DCs, budget for financing and administration. Breakup of monthly expenses and interest income were furnished. The Chairperson advised to release Rs.2.00 Crores each to the Deputy Commissioner, Bangalore and the Deputy Commissioner, Bangalore (Rural) to meet expenditure on fencing for recovered Government lands.

Chairperson suggested to approach E-Governance of the Government of Karnataka for the purpose of GLIR and advised Managing Director to forward the proposal to the Government.

#### **ITEM No. 7: REVIEW OF OPERATIONS:**

The Board noted the following on review of operations:

##### **1. Encroachment of Government Land:**

KPLC was established with the main objectives of collecting and maintaining the details of Government lands, encroachment of Government lands and allotting the recovered Government lands to different Government Departments. KPLC is constantly pursuing with the Deputy Commissioners of all the Districts to identify the encroachments of Government lands and to have a time-bound programme to clear the encroachment by assigning target to the Tahsildars. As per the information furnished by the Deputy Commissioners, 1102584 acres of

Government land is under encroachment, out of which the encroachment in 58917 acres have been removed (balance to be removed is 1043667) and the possession has been taken to the Government. The District-wise details enclosed separately.

It is also felt equally important to protect the valuable lands recovered from the encroachers by putting up fence and providing watch and ward. The KPLC is also providing financial assistance to the Deputy Commissioners to meet the expenditure on such as hiring of machineries and wages to the labourers etc. incurred during removal of encroachments. To meet such expenditure, the Company has earmarked Rs.6.00 Crores during the financial year 2012-13 and the amount will be released based on the requirement of the Deputy Commissioners.

The KPLC has also instructed the Deputy Commissioners of all the Districts to invoke the provisions under Section 192-A and 192-B of Karnataka Land Revenue Act, 1964 and to register criminal cases against the encroachers and the abettors to prevent further encroachment of Government Land and to send message to the public that Government is taking serious action on encroachers. Till date, the Tahsildars have registered 1475 cases under Section 192-A and 22 cases under Section 192-B. The District-wise details enclosed separately.

The Deputy Commissioners of the Districts have been instructed to identify the encroachments on Government lands and to furnish the information survey number-wise and encroacher-wise, in the prescribed format. Now, this information has been received from 20 districts. KPLC is pursuing the matter with remaining 10 Districts.

## **2. Public Complaints Monitoring System:**

The Company has been receiving information from the general public regarding encroachment of Government lands, fraudulent entry in RTC, manipulation of Government Records etc. All such complaints are registered in the Company Office and sent to Tahsildars / Deputy Commissioners and other concerned Officers to take necessary action and to send the compliance. With constant persuasion of the Officers concerned, the Company is able to get final report in 582 cases out of 1956 complaints received and registered in our Company. The District-wise information is enclosed separately.

## **3. Action Taken Report on the report of Sri V. Balasubramaniam, Charman, Task Force for protection of Government Lands:**

The KPLC is coordinating with various Departments to obtain the action taken report on the issues mentioned in the report of Sri V.



9

Balasubramaniam, Chairman, Task Force for protection of Government Lands.

- (i) Meeting was convened under the Chairmanship of the Additional Chief Secretary on 20.07.2011 to deliberate the issues featured in the report.
- (ii) It was decided in this meeting to constitute three Departmental Sub-Committees under the Chairmanship of (i) Revenue Secretary, (2) Principal Secretary, Forest, Ecology and Environment, and (3) Secretary, Urban Development to send the Compliance report on the issues pertaining to them.
- (iii) The KPLC, on pursuing with the concerned Committees, obtained report and consolidated report has been submitted to the Government.
- (iv) The Hon'ble DCM and the Chief Secretary, Government of Karnataka were also apprised of the action taken on the report submitted by the Chairman, Task Force.

**4. Action taken report on the Interim Report of the Joint Legislature Committee:**

The KPLC has taken initiative to obtain the Compliance report on the issues mentioned in the two interim reports submitted by the JLC. The KPLC has also briefed the Hon'ble DCM and also the Chief Secretary, Government of Karnataka about the action taken by the concerned Departments on the observations made in the reports.

Cases registered under Section 192-A and 192-B of Karnataka Land Revenue Act, 1964 were placed before the Board and the Board noted the same.

There being no other business to transact, the Meeting concluded with vote of thanks to the Chair.

Bangalore  
19.12.2012



  
(Latha Krishna Rao)  
Chairperson