

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS HELD AT 12.30 PM ON 12th MARCH, 2013 IN THE CHAMBERS OF PRINCIPAL SECRETARY, REVENUE, GOVERNMENT OF KARNATAKA, ROOM NO. 510, 5TH FLOOR, 3RD BLOCK MULTI-STOREYED BUILDING, BANGALORE-560 001

PRESENT:

- | | |
|-------------------------------|---------------------|
| 1. Smt Latha Krishna Rao, IAS | - Chairman |
| 2. Dr . G Kalpana, IAS | - Managing Director |
| 3. Sri K Shivaram, IAS | - Director |
| 1) Sri G C Prakash, IAS | - Director |
| 2) Sri M K Aiyappa, IAS | - Director |
| 3) Sri V Ponnuraj, IAS | - Director |

BY INVITATION:

- | | |
|--------------------------------|----------------------------------|
| 1. Sri G N Nayak, IAS(Retired) | - Special Officer |
| 2. Sri Manu Baligar, KAS | - General Manager |
| 3. Sri Vijayakrishna K T | - Company Secretarial Consultant |

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

It was noted that Dr. G Kalpana, IAS, was appointed as Managing Director by the Government of Karnataka and she had accordingly assumed charge.

Thereafter, Dr. G Kalpana, IAS, Managing Director extended hearty welcome to all the Directors including Sri K Shivaram, IAS, who was attending the meeting for the first time and to the newly appointed Directors namely Sriyuths M K Aiyappa, IAS and V Ponnuraj, IAS, who were present.

ITEM NO. 1: LEAVE OF ABSENCE:

Leave of absence was granted to Sri L.V. Nagarajan, IAS, Sri Tushar Girinath, IAS and Dr. Amitha Prasad, IAS who had expressed their inability to attend the meeting.

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

Minutes of the previous Board Meeting held on 19.12.2012 as circulated were confirmed.

ITEM NO. 3: 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. The Board was briefed on the action taken relating to previous meeting which was noted.

Following were further discussed upon the said minutes:

Sl. No.	Subject of the Previous Minutes	Action taken
1	<u>Report on Government Land encroachment:</u>	Chairperson raised the issue of phodi and Sri V Ponnuraj, IAS, Commissioner, Survey Settlement and Land Records explained the issues, difficulties experienced in disposing the applications submitted for measurements in individual cases and suggested to discontinue this individual case phodi and to take up whole survey no. at a time.
2	<u>Pending Court cases followed up:</u>	After the meeting of the Panel of Advocates, data was collected by follow-up action by Tahsildars, KPLC. Since the data is still incomplete, the matter is being followed-up with Advocates.
3	<u>Shifting of the Staff:</u>	Proposal to shift the staff was discussed. Sri G C Prakash, IAS, was requested to transfer requisite number of Sheristedars and FDCs to the Company in consultation with the Managing Director.
4	<u>Impleading in Court Cases:</u>	On the issue of impleading in the court cases, it was directed that in pursuance of the Board Meeting held on 19-12-2012 the following action is to be taken: The Government, Deputy Commissioner, Tahsildars and KPLC are independent legal entities, and they should be independently impleaded in all Court cases. In such cases, it should be ensured that Government advocates should appear on behalf of Government/DC/Thasildars. It was also decided to withdraw the authorizations

		<p>issued to Panel Advocates to appear on behalf of the Government. It was further directed that the Government Advocate should appear on behalf of Tahsildars, DCs and Government in all such cases.</p> <p>The Board was briefed on the discussions held with Advocate General on this issue.</p>
5	<u>Government Land Information Repository(GLIR):</u>	The subject proposal was dropped and it was resolved that the details may be sent to the Commissioner, Survey, Settlement & Land Records.

ITEM No. 4: GRANT RELEASED TO DEPUTY COMMISSIONERS:

It was noted that the Company has released the grants to the following Deputy Commissioners for removal of encroachment of Government lands and for protection of Government lands:

Sl.No.	Name of the District	Amount released (Rs. In lakhs)
1.	Bangalore District	200.00
2.	Bangalore Rural District	200.00
3.	Chamarajanagar District	10.00
4.	Mysore District	20.00
5.	Bellary District	10.00
6.	Hassan District	10.00

The letters have been addressed to Deputy Commissioners to utilize the amount and send the utilization certificate at the earliest. It was informed that the Revenue Department, Government of Karnataka has been requested to release the balance of Rs.6 Crores which is due to the KPLC.

ITEM No. 5: BUDGET PROPOSAL FOR 2013-14:

Detailed budget proposal as sent to Government was examined and approved subject to available allocation under the Government of Karnataka budget for 2013-14.

After in-depth discussion on the budget for the Financial year 2013-14, the Chairman called for the details from the Internal

The budget for 2013-14 is in accordance with budget documents and the figures are maintained with minor modifications:

(Rs. In lakhs)

SI No	Particulars of Expenditure	2013-14 (Budget)	Remarks
1	2	3	4
1	Salary and allowance	65.00	
2	Staff welfare expenses	1.05	
3	Advertisement and publications	0.35	
4	Vehicle maintenance	5.60	
5	Printing and stationary	3.80	
6	Postage expenses	0.60	
7	Telephone, Internet and mobile	1.00	
8	Computers, Printers expenses.	0.50	
9	Books and Journals	0.30	
10	Office maintenance expenses/Electricity (D.C.off)	3.00	
11	Travelling expenses	0.50	
12	Fencing / related expenses (Budget allocation for 30 Districts)	900.00	
13	Purchase of computers	1.00	
14	Taxi hiring charges	6.00	
15	Fuel expense	6.00	
16	Insurance of vehicles	0.15	
17	Purchase of furnitures	5.00	
18	Misc expenses	0.90	
19	Sitting fee of directors,	0.20	
20	ROC charges	0.56	
21	Income Tax	15.00	
22	Legal charges	15.00	
23	Meeting expenses	0.75	
24	Audit fees	0.39	
25	Purchase of Vehicles	15.00	
26	Bank Charges	0.10	
27	Lift Maintenance	1.25	
28	Medical Expenses	1.00	
	Total	1050.00	

ITEM No. 6: RECONSTITUTION OF THE BOARD:

A) INDUCTION OF SRI NAVEEN KUMAR, IA&AS, AS MANAGING DIRECTOR:

The Board noted the nomination by the Government appointing Sri Naveen Kumar, IA&AS as Managing Director.

The Board passed the following Resolution:

“RESOLVED THAT the appointment of Sri Naveen Kumar, IA&AS as Managing Director of the Company in place of Sri A K Monnappa, IAS be and is hereby noted.

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 KALPANA, IAS AS MANAGING DIRECTOR:

The Board noted the nomination by the Government appointing Dr. G Kalpana, IAS., as Managing Director.

The Board passed the following Resolution:

“RESOLVED THAT the appointment of Dr. G Kalpana, IAS as Managing Director of the Company in place of Sri Naveen Kumar, IA&AS as per the Government Order No. DPAR 88 SAS 2013 dated 29.01.2013 be and is hereby noted.

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.”

C) INDUCTION OF SRI. TUSHAR GIRINATH, IAS AS DIRECTOR:

The Board noted the nomination by the Government appointing Sri Tushar Girinath, IAS.

The Board passed the following Resolution:

“RESOLVED THAT the appointment of Sri Tushar Girinath, IAS as Director of the Company as per the Government Order No. RD 440 LGB 2012 dated 07.03.2013 be and is hereby noted.

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.”

D) INDUCTION OF SRI V. PONNURAJ, IAS AS DIRECTOR:

The Board noted the nomination by the Government appointing Sri V. Ponnuraj, IAS.

The Board passed the following Resolution:

“RESOLVED THAT the appointment of Sri V. Ponnuraj, IAS as Director of the Company as per the Government Order No. RD 440 LGB 2012 dated 07.03.2013 be and is hereby noted.

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.”

E) INDUCTION OF SRI M K AIYAPPA, IAS AS DIRECTOR:

The Board noted the nomination by the Government appointing Sri M K Aiyappa, IAS, as director.

The Board passed the following Resolution:

“RESOLVED THAT the appointment of Sri M K Aiyappa, IAS as Director of the Company in place of Sri Raja Naik as per the Government Order No. RD 440 LGB 2012 dated 07.03.2013 be and is hereby noted.

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.”

F) ITEM No. 7: REPORT ON LEGAL CELL:

The Board noted the following:

The Legal Cell consisted of Head of the Legal Cell, one Legal Assistant and a Stenographer. In addition to this, 18 Panel Advocates have been empanelled to assist the Company in respect of cases pertaining to Govt. lands.

1. The Tahsildars and other Revenue Officers were asked to furnish the details of cases pending in various courts relating to Govt. lands. In addition to this, the staff from KPLC were also deputed to various courts and KAT to identify the cases pertaining to Govt. land. From this exercise, KPLC came to know that nearly 599 cases pertaining to 5 taluks of Bangalore Urban District are pending in various Courts. The details are as below:

Sl.No.	Name of Taluk	Reported by Tahsildar	Identified by KPLC	Total
1.	B'lore East	89	37	126
2.	B'lore South	30	41	71
3.	B'lore North	32	25	57
4.	B'lore North Adl.	65	07	72
5.	Anekal	123	150	273
	Total	339	260	599

2. In pursuance of the report given by the Regional Commissioner, Bangalore Division, KPLC has filed writ petitions against orders passed in 428 cases under Section 136(3), by the Special Deputy Commissioner, Bangalore. The Company would like to bring to notice that in most of the cases the writ petitions were rejected at the stage of admission itself and a few cases were dismissed after hearing. However, it was decided by the Govt. to file writ appeals in respect of those cases. In respect of Writ appeals which came before the Division Bench headed by the Hon'ble Chief Justice, the Hon'ble High Court, that out of 428 cases mentioned in para 2 above, 49 cases relate to Inam Abolition Act and on discussion with the Panel Advocate and ascertaining the views of the Government, the Hon'ble High Court was pleased to allow withdrawal of writ petition reserving liberty to the Deputy Commissioner to initiate proceedings under Section 67(2) of the Karnataka Land Revenue Act, 1964. It was resolved that the Deputy Commissioner may initiate proceedings early and KPLC will follow-up for expediting.
3. The assistance of panel advocate was also provided to the Tahsildars in respect of cases pending in Civil Courts pertaining to Government land. However, the Panel Advocates expressed their displeasure that the Taluk

Offices were not providing the para-wise remarks and the records pertaining to those cases in spite of several reminders. The Tahsildars have been advised to contact the panel advocates and also assign one Sheristedar of the Taluk office to co-ordinate with the panel advocate in the court cases. It was informed that the DC was convening a meeting of Tahsildars 21-03-2013 and KPLC Officers would participate in the same.

4. The meeting of the panel advocates was held on 04.03.2013 to ascertain the position of the writ petitions filed in respect of these cases also and the present status. The panel advocates were also asked to furnish the reason for not filing the writ petitions in respect of all the cases entrusted to them. In the meeting of the panel advocates, it was brought to notice that only in respect of 8 cases, writ petitions have been filed and in the remaining cases writ petitions will be filed during 1st week of March. In 28 cases where the Committee for Regularisation of unauthorized Cultivations has resolved to issue the Saguvali Chit to the ineligible beneficiaries in violation of the rules. In such cases, the Tahsildars have to refer the matter to the Assistant Commissioner to initiate action under Rule 108K of the Karnataka Land Revenue Rules, 1966. It has come to the notice of the Corporation that even though the letter was written to the Tahsildars on 30 March, 2012, to refer the such cases to the Assistant Commissioner, there is no information from the Tahsildars for having taken any action. This will also be reviewed in DC meeting dated 21-03-2013.
5. The Additional Advocate General and the Advocate General expressed view that KPLC cannot authorize their panel advocate to appear on behalf of the Govt. Even while hearing the Writ Petition the Hon'ble Justice advised that only the Govt. advocate has to appear on behalf of the Govt. and not the panel advocate of KPLC. In view of this, KPLC has addressed letter to the Principal Secretary, Revenue Department to write letter to the Advocate General to assign Government Advocate in all these cases.

It was reported that the Head of the Legal Cell, who was earlier engaged, has ended his services to KPLC with effect from 01.03.2013. The Board discussed this and authorized Managing Director to take further course of action in respect of appointing Head of the Legal Cell.

The Chairperson suggested that one more meeting of Advocates may be convened by the Managing Director, KPLC

The Chairperson indicated that all the Deputy Commissioners be separately addressed and be directed to act expeditiously on all the cases. She further requested Deputy Commissioners to act quickly on the cases falling under their respective jurisdictions, especially since the value of land under these cases is very high.

ITEM No. 8: 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. The progress achieved is not satisfactory and most of the Districts are not even sending the information regularly. As per the information furnished by the Deputy Commissioners, 1102584 acres of Government land is under encroachment, out of which as on 31-01-2013, encroachment in 59310 acres have been removed (balance to be removed is 1043274) 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. KPLC is also providing financial assistance to the Deputy Commissioners to meet the expenditure such as hiring of machinery and payment of 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 Rs.4.50 Crores has been released to the Deputy Commissioners.

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. The Tahsildars have registered 1475 cases under Section 192-A and 22 cases under Section 192-B. This information is also not being sent by the Districts regularly.

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 23 districts. KPLC is pursuing the matter with remaining 7 Districts.

The Deputy Commissioners are also being reminded to furnish fortnightly Statement showing the details of encroachment removed (Serial number-wise) during that fortnight.

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 604 cases out of 2010 complaints received and registered.

PARTICULARS OF GOVERNMENT LAND ENCROACHMENT AND REMOVAL (AS ON 31-01-2012)

Sl. No	Name of the District	Extent of Government Land	Government land encroachment	Encroachment removed in acres	Balance to be removed in acres
1	2	3	4	5	6
BANGALORE DIVISION					
1	Bangalore Urban	122,918	26228	10720	15508
2	Bangalore Rural	89,370	35342	3394	31948
3	Ramanagara	182,656	29057	1168	27889
4	Chikkaballapura	263,858	37457	438	37019
5	Tumkur	543,062	25275	1760	23515
6	Kolar	203,819	25058	903	24155
7	Shimoga	767,558	95543	728	94815
8	Davanagere	200,104	22087	2163	19924
9	Chitradurga	515,998	32427	5379	27048
TOTAL		2,889,343	328,474	26,653	301,821
MYSORE DIVISION					
10	Mysore	166,145	34652	1895	32757
11	Hassan	172,333	92773	295	92478
12	Mandya	144,274	32718	2922	29796
13	Chikkamagalore	4,89,195	106249	48	106201
14	D.K.(Mangalore)	364,843	195638	75	195563
15	Kodagu	142,416	16308	335	15973
16	Chamarajanagar	169,225	34707	91	34616

17	Udupi	249,207	87840	632	92478
TOTAL		1,408,443	600,885	6,293	594,592
BELGAUM DIVISION					
18	Belgaum	98,958	10812	1786	9026
19	Dharwad	57,577	2148	289	1,859
20	Bihapur	70,748	11882	639	11243
21	U.K.(Karwar)	11,399	3344	430	2914
22	Bagalkote	21,785	802	169	633
23	Gadag	94,746	8142	903	7239
24	Haveri	47,121	13075	4734	8341
TOTAL		402,334	50,205	8,950	41,255
GULBARGA DIVISION					
25	Gulbarga	77,908	33737	490	33247
26	Bellary	555,020	65408	15210	50198
27	Raichur	86,476	3379	16	3363
28	Bidar	31,675	11695	111	11584
29	Koppal	111,360	4259	805	3454
30	Yadgiri	83,499	4542	782	3760
TOTAL		945,938	123,020	17,414	105,606
GRAND TOTAL		5,646,058	1,102,584	59,310	1,043,274

Information on encroached land 80 acres in the month of December 2012 and 154 acres in the month of January 2013 were furnished.

It was discussed that a large number of applications filed for regularisation of unauthorised cultivations in Form-50 (Extent: 1,26,932 acres) and Form-53 (Extent: 9,86,333 acres) are pending for decision before the Taluk level Committee for Regularisation of unauthorised cultivation. Until these applications are disposed of by the Committee, no further action can be taken either to issue Saguvali Chit or to evict the encroacher.

According to Rule 108 CC(3) of Karnataka Land Revenue Rules, 1966, "the Deputy Commissioner or other Officer authorised under Section 94-B shall, on receipt of documents from the Tahsildar, make spot inspection, examine the documentary and circumstantial evidence, determine the eligibility or otherwise, and to make recommendation to the Committee, within three months from the date of receipt of the documents from the Tahsildar."

Even though a large number of applicants are ineligible for grant, as the Committee is deferring the decision, further action of eviction is held up. This situation can be avoided by amending this Rule and by giving authority to the Deputy Commissioner to reject the ineligible applications and to place only the

eligible applications before the Committee for Regularisation of unauthorised cultivations.

This issue was discussed and the Board has resolved to send a suitable proposal to Government.

Chairperson directed that apart from identifying/noticing the encroachment of land, Deputy Commissioners should be directed to watch any fresh encroachments and to stop the same immediately and that this would be reviewed on a monthly basis.

There was review of the complaints received from the public and it was suggested that wherever the Government land measurement has to be done, a reference can be made to the Survey & Settlement Department which will register the references and take up the survey on priority basis.

ITEM No. 9: FINANCIAL STATEMENT FOR THE PERIOD 01.04.2012 TO 28.02.2013:

The Board reviewed the financial statement from 01-04-2012 to 28-02-2013 and asked the Managing Director to review the tax planning, Sundry Debtors and Loans and advances.

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

Bangalore
12.03.2013


Latha Krishna Rao
Chairperson