

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS HELD AT 12.45 PM
ON 20TH MARCH, 2014 AT ROOM NO. 510, REVENUE DEPARTMENT, 5TH FLOOR,
M. S. BUIDLING, BANGALORE - 560 001**

PRESENT:

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| 1. Shri Basavaraju, IAS | - Chairman |
| 2. Smt M. V. Savithri, IAS | - Managing Director |
| 3. Shri P N Sreenivasachary, IAS | - Director |

IN ATTENDANCE:

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| 1. Shri. Beeralinge Gowda | - General Manager (I/c) |
| 2. Shri. Suresh D S | - Finance Manager |

BY INVITATION:

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| 1. Shri Vijayakrishna KT | - Company Secretary Consultant |
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Smt. M.V. Savithri, IAS, Managing Director extended hearty welcome to the Chairman and Directors who were present, and requested chairman to preside the meeting and conduct the proceedings.

Shri. Basavaraju, IAS, Chairman, Karnataka Public Lands Corporation Ltd and Principal Secretary to Government, Revenue Department presided the meeting and conducted the proceedings.

ITEM NO. 1: LEAVE OF ABSENCE:

Leave of absence was granted to Shri Gaurav Gupta, IAS, Shri V Ponnuraj, IAS, Dr. G C Prakash, IAS, Shri I. S. N. Prasad, IAS and Shri V. Shankar, IAS who had expressed their inabilities to attend the Meeting.

The Managing Director Karnataka Public Lands Corporation Ltd expressed the difficulties faced in getting the nominations of Directors on the Board from the Government consequent upon the transfers of the Officers and suggested that the Directors be nominated by designation of the post held in Government. The Board

felt it appropriate and advised Managing Director to submit a proposal to the Government, to carry out this same.

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

Minutes of the previous Board Meeting held on 20.12.2013 as circulated among the members of the Board 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 Managing Director explained actions taken issues relating to previous Minutes which were noted.

Following were noted on this subject.

Sl. No.	Subject of the Previous Minutes	Action Taken
1.	Alteration of Memorandum of Association and Articles of Association on exploring the above ideas and in case of any limitations provide in the Memorandum of Association of the Company and to prepare a detailed project report regarding options like development of land with the co-operation from KHB, BDA, private participants etc. The Company can act as the land bank and the other participants can	To evaluate the proposal of land development, re-development, Joint development, buying and selling of commercial lands etc, ground work for preparing a detailed project report have been taken up and the same is under progress. A letter has also been addressed to the Government indicating the principle outlines of the project, to have a discussion at Govt. Level and to

	act as the joint developers, not only in urban areas, also in other districts and rural areas. taking due care of rehabilitation of the poor and backward classes of the society while developing the land.	accord formal approval to the proposal. The same will be finalized and placed before the Board at the earliest.
2.	Reason for not appointing the Government advocates in to the panel and to decrease the number of panel advocates and also to look into the option of availing the services of legal firms having reputed exposure on the land related matters.	It is noticed that Government advocates are over burdened with large number of cases involving both private properties wherein government authorities are made as formal parties and the cases pertaining to government lands. On an average government advocates are handling 60-70 cases per day in each court halls. It is very difficult for them to go through each of the cases in detail in short span of time. Therefore, the Company felt it not feasible to take the government advocates in the Company's panel. In the alternative the Company is preparing a proposal to Government to requesting to appoint selected panel advocates of the Company as special Government advocates (as

		<p>existed earlier vide GO No LAW 36 LAG 2006(part) dated 30-12-2006) so as to enable them to represent KPLC and the Government authorities (DC, AC Tahaslidar etc.) in the cases related to Government Lands.</p> <p>Option of availing the services of legal firms having reputed exposure on the land related matters has also been examined. It is felt reasonable and appropriate and convenient to handle the cases through the panel advocates, as panel advocates are conducting the cases effectively.</p> <p>It was reported that the Company had engaged Shri K Rajashekhar, Retired Judicial Officer. Managing Director briefed the Board on the need to have some other person to be more proactive. The Board after due discussions, authorised Managing Director to take such action as may be necessary.</p>
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3.	Preparation of Action Plans on the same model from other Deputy Commissioners also along with their affidavits for being submitting it to the Hon'ble High Court as prepared by Deputy Commissioner, Bangalore District.	As per the instruction of the Government vide circular dated 23-12-2013, all Deputy Commissioner in the state have prepared and submitted the Plan of Action for removal of encroachment on Government Land (Revenue). Progress achieved by the Deputy Commissioners on the action plan was placed before the Board was studied. Chairman suggested Managing Director to expedite Plan of Action implementation and also to frequent monitoring of the same.
4.	Preparation of a detailed analysis including the cost involved and the method of implementing of the software's for Government Land data base and other public properties	Computerized program for consolidating the database of Lakes/Tanks (LMIS) is ready, and put use by 30 selected taluks on trial basis. Necessary instruction/training has given to the staff of these taluk office. The same is under progress and same will be extended to all taluks of the state at the earliest. Expenditure for this programme will be borne out from the funds

		granted under the HoA 4059 to the Company depending on the requirement of the Deputy Commissioners/Tahasildars.
5.	Appointment of supporting staff to Karnataka Public Lands Corporation Ltd.	Necessary staff have been taken on outsource basis.
6.	Allotment of 2 nd floor in Urban DC office to Karnataka Public Lands Corporation. Submission of proposal for issue of Government order in this regard.	A letter has been addressed to Principal Secretary, Revenue Department, vide No. KPLC/ACCTS /CR/ 177 /13-14 dated 13-3-2014 to issue necessary orders in the regard.

ITEM NO. 5: REPORT OF THE LEGAL CELL:

Report for the Legal Cell as circulated was perused and the following were noted by the Board:

1. The Company has set up a Legal Cell headed by a retired District & Sessions Judge with the help of Panel Advocates to assist the Company with regard to necessary steps to be taken in Court cases pertaining to Government Lands.
2. The Company has taken steps to transfer cases pending in different Civil Courts in Bangalore District to a single bench of civil Court, as a result of which 170 OS cases have been transferred to the said common bench.

3. The Company has taken steps to file 385 writ petitions and 131 writ appeals in respect of the orders issued by the Special Deputy Commissioner under the provisions of Section 136(3) of the KLR Act. Out of 385 writ petitions, 342 writ petitions have been disposed as against this 131 writ appeals have been preferred, out of this 108 appeals are disposed.
4. Further, the Company has provided assistance of Panel Advocates in 204 writ petitions, 159 OS cases and 4 KAT cases.
5. Apart from this, the Company has detected 311 civil court cases/orders which were issued against the interest of the Government. In all these cases, the jurisdictional Tahsildars have been directed to take steps to file appeal in the jurisdictional court and action is being taken to challenge the said orders before the competent Courts.
6. 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 parawise 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.
7. The Additional Advocate General and the Advocate General expressed view that the Company 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 the Company. In view of this, the Company has addressed letter to the Principal Secretary, Revenue Department to

write letter to the Advocate General to assign Government Advocate in all these cases.

8. It has come to the notice of the Company, that Government advocates are over burdened with large number of cases involving both private properties wherein government authorities are made as formal parties and the cases pertaining to government lands. On an average government advocates are handling 60-70 cases per day in each court halls. It is very difficult for them to go through each of the cases in detail in short span of time. therefore the Company is preparing a proposal to Government requesting to appoint selected panel advocates of the Company as special Government advocates (as existed earlier vide GO No LAW 36 LAG 2006(part) dated 30-12-2006) so as to enable them to represent the Government authorities (DC,AC Tahaslidar etc.) in the cases related to Government Lands.

Chairman urged that due care and caution be exercised in furnishing info to the courts.

The Board authorized Managing Director to seek the advice of the Law Department of the Government of Karnataka to utilize the services of Government Advocates and on the views of the Additional Advocate General and the Advocate General who had earlier expressed view that the Company cannot authorize their panel advocates to appear on behalf of the Government.

The Board reviewed the details of the pending cases, status and cases disposed off. The Chairman instructed the Managing Director to issue strict instructions to all the Tahashildar to follow up the Court Cases relating to Govt. Lands in co-ordination with the Government Advocates/Panel Advocates.

ITEM NO. 6: DEVELOPMENT OF COMPUTERIZED PROGRAMS FOR BETTER MONITORING THE STATUS OF GOVERNMENT LANDS:

The Board perused the detailed note circulated on the computerized programme. Managing Director explained in detail the distinct advantages of this programme. Following were taken note of:

It was reported that for better monitoring the encroachment status of Lakes/Tanks, Govt. lands including public complaints and court cases, the Company has prepared computerized programs in coordination with the NIC.

Different systems are:

1. Lake Monitoring Information System:

This program contains the name of the Lake, total extent, GEO co-ordinates, name of the encroacher, encroached extent, date of eviction etc. In first stage, computerized program for consolidating the database of Lakes/Tanks (LMIS) is ready, and put to use by 30 selected taluks on trial basis. Necessary instruction/training has been given to the staff of these taluk offices on 17-02-2014. The same is under progress and same will be extended to all taluks of the state at the earliest.

2. Govt. Land Information Monitoring System:

This program contains various fields like, Village, Sy. No., Clasification, extents under different type of encroachments, claims pending(94A, 94B, 94c etc), name of the encroacher, GEO co-ordinates etc.

3. Public Complaints(PGC):

This program contains the details of the complaints received from the public with regard to encroachment of Govt. lands and the action taken by the concerned authorities. This program will be helpful in monitoring the status of the complaints.

4. Litigation Monitoring System:

This program contains the details of court cases pending in different courts pertaining to Govt. lands like, Case No, appointment of Govt. Advocate, filing of Statement of objections, final decisions etc. Pertaining to Government land The Chairman instructed that, on line links of this program be given to Tahashildar and they shall be instructed to feed the details of all Court Cases

ITEM NO. 7: DETAILS OF ENCROACHMENT OF GOVERNMENT LANDS:

The Board noted the following:

The Company 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. The Company 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 details of the information furnished by the Deputy Commissioners are consolidated as follows

	Details	Ext. in Acres
1	Total Extent of govt. land(Revenue land)	6225339
2	Extent of Encroached Govt. land	1302241
3	Extent of Encroachment Removed	100555
4	Balance of encroachment to be removed	1201686
5	Form-50/53 filed in encroachment to be removed	745603
6	Form-50/53 NOT filed in encroachment to be removed	456087

7	Court stay orders in force	1382
8	BALANCE of encroachment in Form50/53 NOT filed excluding Court Stay order cases	454704

A circular instruction has been issued to all Deputy Commissioners to prepare a Action Plan to remove encroachment on Government Land vide circular No RD 155 LGX 2013 dated 23-12-2013.

As per the circular instruction, all Deputy Commissioner in the state have prepared and submitted the Plan of Action for removal of encroachment on Government Land (Revenue). Progress achieved by the Deputy Commissioners was studied.

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 Company is also providing financial assistance to the Deputy Commissioners to meet the expenditure on such as hiring of machineries and wages to the labours etc. incurred during removal of encroachments. To meet such expenditure, the Company has released Rs.720 lakhs all the Deputy Commissioners, during the financial year 2012-13. The district-wise releases details perused by the Board and progress and utilization certificates are awaited from the Deputy Commissioners. In Bangalore Rural District 500 acres of government land has been fenced.

The Company 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 1558 cases under Section 192-A and 28 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. Actions has already been started to prepare a web based application to consolidate data base of government Lands details.

Shri.P.N.Sreenivisachary, IAS has suggested that more than 400 Acres of Government Land have come across the lands notified for Arkavathi Layout. And some encroachments have come up on these lands. This has to be verified and if any encroachment is found action to be taken, to removal the same

2. Public Complaints Monitoring System:

1. 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. So far 2153 complaints have been received, out of which 661 complaints have been disposed. Out of 661 cases 229 have been proved, in these cases encroachment has been removed. 227 case found not encroached, 49 complaints pertains to private lands and 14 case involves Form 50/53, 27 cases involved in court case. The district-wise details placed before the Board.

3 Action Taken Report on Interim Report of the Joint Legislature Committee and the report of Sri V. Balasubramaniam, Chairman, Task Force for protection of Government Lands:

The Company is coordinating with various Departments to obtain the action taken report on the issues mentioned in the report of of the Joint Legislature Committee

and the report of Sri V. Balasubramaniam, the then 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 (1) 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 Company, on pursuing with the concerned Committees, obtained report and consolidated report has been submitted to the Government.
- (iv) The then 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.
- (v) A High Level Committee headed by The Chief Secretary to Government has been constituted by the Govt. vide order dated 03.07.2013 along with the other members of the State Government High Level Officers. and where in District Level Committees have also been constituted under the Chairmanship of The respective Deputy Commissioners of the districts along with the District Level Officers have been constituted vide G.O. dated 03.07.2013.

Other Subject:

A proposal for purchase of new vehicle Innova for the Company and for the use of Chairman was placed before the Board for discussion. After discussion the Board has approved the purchase of a new Innova vehicle to the KPLC Ltd., for the use of Chairman.

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

Bangalore
20.03.2014


Basavaraju, IAS
Chairman

5/04/2014

KARNATAKA PUBLIC LANDS CORPORATION LTD