

KARNATAKA PUBLIC LANDS CORPORATION, LIMITED,

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**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS HELD
AT 4.30 PM ON 7TH MARCH, 2015 AT ROOM NO. 510, 5TH FLOOR, M S
BUILDING, BANGALORE – 560 001.**

PRESENT:

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| 1. Shri B. Basavaraaju, IAS | - Chairman |
| 2. Shri.D.K. Ravi, IAS | - Managing Director |
| 3. Shri Munish Moudgil, IAS | - Director |
| 4. Shri V. Shankar, IAS | - Director |

IN ATTENDANCE:

- | | |
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| 1. Shri Beeralinge Gowda | - General Manager (I/c) |
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BY INVITATION:

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| 1. Shri Parameshwar Bhat | - Company Secretary Consultant |
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Shri B. Basavaraaju, IAS, Chairman presided over the meeting and conducted the proceedings. Chairman extended hearty welcome to all the Directors present.

APPOINTMENT OF DIRECTORS:

It was noted that the Government of Karnataka exercising their right under the Articles of Association of the Company, have issued Government Order appointing following Directors on the Board.

The Board took note of the same and following resolutions were passed:

a. Appointment of Shri D. K. Ravi, IAS :

“RESOLVED THAT the appointment of Shri D. K Ravi, IAS as Managing Director (in charge) of the Company in place of Smt. M. V Savithri, IAS as per the Government Order dated 4th February, 2015 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.”

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b. Appointment of Shri Munish Moudgil, IAS:

“RESOLVED THAT the appointment of Shri Munish Moudgil, IAS as Director of the Company as per the Government Order dated 31st December, 2014 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. Appointment of Shri S. A. Jeelani, IAS:

“RESOLVED THAT the appointment of Shri S.A Jeelani, IAS as Director of the Company as per the Government Order dated 24th December, 2014 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.”

CESSATION OF DIRECTORS:

It was reported that following Directors ceased to be Directors on the Board as per the Government Order.

The Board took note of the same and following resolutions were passed:

a. Cessation of Smt. M.V Savithri, IAS:

“RESOLVED THAT the cessation of Smt. M. V. Savithri, IAS from the Office of Director of the Company as per the Government Order dated 4th February, 2015 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. Cessation of Shri Rithvik Ranjan Pandey, IAS:

“RESOLVED THAT the cessation of Shri Rithvik Ranjan Pandey, IAS from the Office of Director of the Company 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. Cessation of Shri Meer Anis Ahmed, IAS:

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"RESOLVED THAT the cessation of Shri Meer Anis Ahmed, IAS from the Office of Director of the Company 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."

Chairman extended his heartily welcome for the new Managing Director and other newly appointed Directors on the Board.

ITEM NO. 1: LEAVE OF ABSENCE:

Leave of absence was granted to Shri Rithish Kumar Singh, IAS, Shri I.S.N. Prasad, IAS, Shri D. Sathyamurthy, IAS, Smt. Salma Fahim, IAS, Shri Rajiv Ranjan, IAS, Smt. Pallavi Akurathi, IAS, and Shri C. Shivanna, IAS who had expressed their inabilities to attend the Meeting.

Chairman suggested the Managing Director to intimate all the respective Directors to attend the Board Meeting without fail to make the Board Meeting much more effective.

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

Minutes of the previous Board Meeting held on 26.11.2014 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. Managing Director explained actions taken issues relating to previous Minutes which were noted.

ITEM NO. 4: REVIEW OF OPERATIONS:

Following were noted by the Board:

1. After constitution, the KPLC has been pursuing with the Deputy Commissioners to expedite the process of removal of encroachment on Government lands. The KPLC has issued circular instructions on 10.02.2010 to all Deputy Commissioners with regard to the procedures to be followed in the process of removal of encroachment. Further, the KPLC has been issuing instructions / directions to the Deputy Commissioners to expedite the removal of encroachment on

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Government lands from time to time. The Managing Director, KPLC has conducted a Divisional Level Review Meeting on 03.08.2013 in respect of Bangalore Division.

2. The KPLC in persuasion with the Deputy Commissioners, got prepared the time bound Action Plan for removal of encroachment in all the 30 districts in the month of February, 2014. The same information has been placed before the Hon'ble High Court in connection with the PIL case.
3. As per the Action Plan submitted by the Deputy Commissioners the details of encroachment are as follows:

Sl. No	Details	Extent 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	Net encroachment to be removed (Excluding Forom50/53 NOT filed and Court Stay order cases)	454701
9	Encroachment removed after preparation of Action Plan, till 31-01-2015	80412

4. The Deputy Commissioners have been instructed to expediate the removal of encroachments involving more than 10 Acres and more than 5 Acres on priority basis.
5. In order to prevent further encroachment, the KPLC has released Rs.8.25 Crores to the Deputy Commissioners for wire fencing of the recovered Government lands. Extents of 479 Acres have already been fenced in Bangalore Rural District. Rest of the fencing work is under progress in other districts.
6. The KPLC 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. The KPLC has been providing assistance of its Panel Advocates in respect of cases pertaining to Govt. lands. (WP/WA/OS/KAT etc totally i/r/o/ 889 cases).

7. Apart from that, the KPLC has taken steps to prepare web-based software to provide information about all public lands such as Lakes, Govt. lands, Wakf Properties, Muzrai Properties, Lands belonging to Statutory Bodies, Municipal Lands etc in public domain. To begin with the said task, the KPLC has developed a Lake Monitoring Information System and the Hon'ble Minister for Revenue launched said software on 27.05.2014. As on today information about 14416 lakes have been keyed-in in the said program and the said information is available to the public on the web site (www.kplc.kar.nic.in). Similarly, the KPLC is taking steps to prepare a web-based software in respect Muzrai properties. Information about 76 Muzrai Temples have already been keyed-in. The KPLC will proceed with building up a data base pertaining to Wakf Properties, properties of Statutory Bodies etc.

ITEM NO. 5: TO COMPLY WITH THE OBSERVATION OF THE PRINCIPAL ACCOUNTANT GENERAL:

The Board noted the Inspection Report of Principal Accountant General (ERSA), Karnataka, forwarded on the accounts of Karnataka Public Lands Corporation, Bangalore for the period from 31.12.2008 to March, 2013. The specific observation pointed out in the Inspection Report as under was studied by the Board:

- a. "Thus none of the main objectives for which the Company was incorporated is being perused by the Company. The Company mainly plays the role of facilitator to the Revenue Department of the Government.
- b. The purpose for which the Company was incorporated is thus defeated.
- c. In reply, it was stated that the matter would be taken up with the Government. Action taken in this regard may be intimated".

The Managing Director reiterated the main objective of the Company as per the Memorandum of Association which reads under:

(1)	To buy, sell or otherwise deal in land, especially the land belonging to Government of Karnataka or any other Statutory Body in the State.
(2)	To develop land and act as colonizer and to prepare estimates, plans, designs, specifications and do such other things or any act that are related to development of land.
(3)	To buy and sell, let on lease, hire, or otherwise acquire any property and any rights or privileges, either as a broker or as an agent or as an auctioneer, which the Company thinks necessary or convenient for the purpose of its business in immovable property.
(4)	The objects incidental or ancillary to the attainment of main objects are : 1. To collect and maintain details of Government Lands, encroachments of Government lands and to allot evicted

	<p>government land to different departments.</p> <p>2. To keep protected land from encroachment by fencing and posting security and to workout proposal for proper utilization of these lands etc.</p>
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Therefore, the Managing Director suggested the Board that if the Government would consider to provide some land to the Company, the Company could develop the said land and take necessary steps to initiate the action to carry on the business as enumerated in the main objectives of the Company. Shri Munish Moudgil, IAS suggested the proposal and stated that the lands above 5-10 acres which are recovered from encroachment may be provided in the instance for the above purpose.

Chairman suggested the Managing Director to send suitable proposals to the Government for transfer of land for development and further disposal in favour of the Company. He further mentioned that on receipt of the letter from the Managing Director, the request would be considered by the Government. Further the Managing Director is authorized to take necessary steps for the above proposals.

ITEM NO. 6: SUPERVISORY POWERS TO KPLC:

The Board was informed that there were no specific monitoring or supervisory powers to the KPLC with respect to the process of removal of encroachment either in the Memorandum of Association or in the Karnataka Land Revenue Act, 1964 and also response from the Deputy Commissioners/Tahsildars is very poor in so far as removal of encroachment is concerned.

The Board recalled the discussion held on earlier subject and opined that as there are no such provisions in the Land Revenue Act to provide any controlling or supervisory powers to the Managing Director, the same status may be continued and the matter may be taken up with the concerned authorities to take proper action in this regard.

The Managing Director explained the Board about the problem faced by the Company due to lack of power given to the Managing Director of the Company. He mentioned that the Company does not have any power to remove the encroachment. The said power is vested with the local Deputy Commissioners and the Assistant Commissioners. Therefore the Company is unable to perform the objects enumerated in the Memorandum of Association.

Shri Munish Moudgil, IAS informed the Board that as per Section 94 of the Land Revenue Act, there is no possibility of providing any power to the Managing Director of the Company to remove encroachment as this is the power given to the local Deputy Commissioners/Assistant

Commissioners/Tahashildars as the case may be and there is no such provisions in the Land Revenue Act to create any parallel body for the same.

Chairman suggested that the object of the Company may be suitably amended to empower the Managing Director of the Company to issue directions to the concerned Officers/Authorities to investigate into any specific case of encroachment of Govt. land and to conclude the inquiry within the period to be specified by the Managing Director.

Further it was opined to provide the power to depute a team from the Company to Districts/ Taluks to intensify the removal of encroachment on Government lands.

Various provisions of the Land Revenue Act, Companies Act were deliberated at the meeting. After due discussion, the Chairman suggested the Managing Director to prepare a brief note on the proposal for the alteration of the main objects of the Company considering the provisions of the Land Revenue Act, Companies Act and any other applicable statutes and to place it before the Chairman and Commissioner, Department of Survey, Settlement & Land Records to take further action in this regard. After drafting the proposal, the same may be placed before the Board in the next Board Meeting for taking action in this regard.

ITEM NO. 7: SPEEDY DISPOSAL OF COMPLAINTS IN RESPECT OF ENCROACHMENT ON GOVT. LANDS:

The attention of the Board was drawn on the complaints received, disposed and the balance of cases to be disposed with regard to encroachment on Govt. lands. The Managing Director informed the Board that the KPLC is monitoring the complaints received with regard to encroachment on Government lands. There are 2257 complaints which have been received so far of which 667 complaints have been disposed off and 1590 complaints are pending. He further mentioned that response from the Deputy Commissioners/Tahsildars is very poor. Every complaint needs to be looked into by the Tahsildar/Deputy Commissioner. For effective monitoring and disposal of these complaints it is better to transfer pending complaints to the concerned Regional Commissioners.

The Board noted the same and decided to take up the matter with the Regional Commissioners.

ITEM NO. 8: SUPPORTING STAFF TO THE KPLC:

The Board was informed that the KPLC in coordinating with the Deputy Commissioners in collating the information in removal of encroachment and submitting the same to the Govt. and Courts particularly with regard to

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the PIL filed before the Hon'ble High Court of Karnataka. One Sheristedar, one Data operator and one Stenographer working on outsource basis are assisting the officers in the KPLC. There is need to take two retired Sheristedars on out-source basis to coordinate with the DCs Office/Taluk Office in order to speed up coordination work.

After due discussion, the Board authorized the Managing Director to take action for appointing the supporting staff as he deems fit.

ITEM NO. 9: ESTABLISHING SEPARATE OFFICE ACCOMMODATION TO KPLC:

The Managing Director withdrew the subject and informed the Board that as of now, the Company will continue with the same premises and as and when the need arise; the matter will be placed before the Board for its consideration and approval.

ITEM NO.10: STEPS TO BE TAKEN TO NOMINATE THE BOARDS BY THEIR DESIGNATION:

The Managing Director explained the Board that at present the Board members are being nominated/appointed by quoting their name and designation. At the time of transfer of any Board Member from his original designation, at every time of such transfer, necessary order has to be issued by the Government adopting the name of the new Officer nominated/appointed to the list of Board Member of KPLC. In order to avoid this type of inconvenience, it is necessary to take steps to nominate/appoint Board members by quoting their original Designation itself.

The provisions of the Companies Act with regard to the appointment of Directors were duly discussed. It was noted that there is no provision under the Companies Act for the appointment of Directors on the basis of designation. Further it was noted that the Government may issue order for appointing the Directors on the basis of designation. Whoever is associated to such designation may be appointed as Director of the Board without any separate order from the Government for this purpose. For the purpose of the Companies Act the officer who occupies such designation as per the Government order will be treated as Director in his individual name. This will reduce the paper work for the Government on every such change in the department.

After discussion, the Board authorized the Managing Director to send necessary proposal to the Government on the above lines.

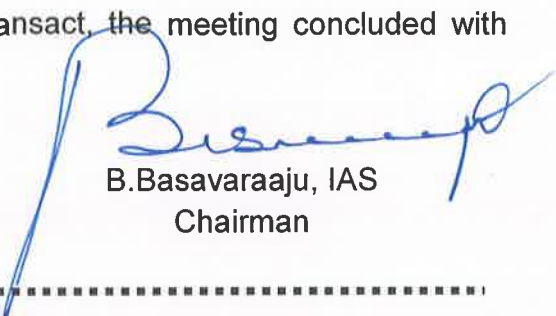
ITEM NO.11: INTENSIFYING REMOVAL OF ENCROACHMENT IN BANGALORE DISTRICT:

The Managing Director informed the Board that the Government lands in Bangalore District have been surveyed during 2006-07 and there are about 8301 survey numbers involving an extent of 1,22,918 Acres. As per this survey an extent of 33,877 acres of Government lands were reported as encroached. Now the total encroached Government land is 34,111 acres. Till the end of January, 2015, extents of 15,690 acres has been reported as recovered from encroachment. Net extent of encroachment to be removed as of now is 1818 acres (excluding the lands encroached for public purpose and lands involved in 136(3) cases and other court cases). The lands in Bangalore District are highly valuable and potential. Therefore, recovery of remaining encroached lands needs to be intensified. A proper system needs to be devised to recover these lands on war footing basis.

The Board noted the same. In Bangalore Urban district all Govt. lands have been surveyed and encroachment have been identified. In this process, files containing 51 columns have been built up in respect of each survey number. Therefore, the Deputy Commissioner, Bangalore District be instructed to up date the information in 51 Column files with reference to the encroachment. After reconciliation a time table be prepared for recovering the rest of the encroached lands.

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

Bangalore
07.03.2015


B. Basavaraaju, IAS
Chairman

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