

KARNATAKA PUBLIC LANDS CORPORATION LIMITED
2ND Floor, Bengaluru Urban District Deputy Commissioner Office Building
Behind Kandaya Bhavana, K.G. Road, Bengaluru -560 009.
Phone;22114233 Fax:22133558 e-mail:cmdkplc@gmail.com.

KPLC/Accts/AG/20(IV)/2017-18

Dated: 02.03.2018

To
All the Board of Directors,
Karnataka Public Lands Corporation Ltd.,
Bengaluru - 560 001.

Sir/Madam,

Sub: Reg. 3rd Board Meeting Minutes for the Financial Year
2017-18.

Please find enclosed herewith the Minutes of the 3rd Board Meeting for the
financial year 2017-18 which was held on 03.02.2018 for your information.

Thanking you,

Yours faithfully,



General Manager,
Karnataka Public Lands Corporation Limited,
Bengaluru.

Encl : as above)



MINUTES OF THE 3RD MEETING FOR THE YEAR 2017-18 OF THE BOARD OF DIRECTORS OF KARNATAKA PUBLIC LANDS CORPORATION LIMITED HELD AT 2.30 PM ON 3RD DAY OF FEBRUARY, 2018 AT ROOM NO. 510, V FLOOR, M S BUILDINGS, BANGALORE – 560 001:

PRESENT:

- | | |
|----------------------------------|---------------------|
| 1. Dr. E. V. Ramana Reddy, IAS | - Chairman |
| 2. Dr. N. V. Prasad, IAS | - Managing Director |
| 3. Shri Shivayogi C. Kalsad, IAS | - Director |
| 4. Shri S. Palaiah, IAS | - Director |

IN ATTENDANCE:

- | | |
|-------------------|-------------------|
| 1. Shri Indresh R | - General Manager |
|-------------------|-------------------|

BY INVITATION:

- | | |
|---------------------------|--------------------------------|
| 1. Shri Vijayakrishna K T | - Company Secretary Consultant |
| 2. Shri Anand | - Chartered Accountant |

At 2.30 PM, Chairman, occupied the chair and conducted the proceedings of the Meeting. He extended a hearty welcome to all the Directors and invitees present at the Meeting.

The Board noted that the Government vide Notification No.RD43LGB2018 dated: 16.01.2018 has notified the appointment of Shri Shivayogi C. Kalsad, IAS, as Director of the Company in place of Smt. M. V. Jayanthi, IAS.

The Board passed the following resolution:“RESOLVED THAT the Board hereby notes the appointment of Shri Shivayogi C. Kalsad, IAS, as Director of the Company in place of Smt. M. V. Jayanthi, IAS, as per the directions of the Government of Karnataka vide Government Notification No.RD 43 LGB 2018 dated: 16.01.2018 be and is hereby noted.

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

Chairman and all the Directors present extended a warm welcome to Shri Shivayogi C. Kalsad, IAS, who was present at the Meeting.

ITEM NO. 1: LEAVE OF ABSENCE:

Leave of absence was granted to Shri Munish Moudgil, IAS, Shri V. Shankar, IAS, Shri S. P. Shadakshri Swamy, IAS, Shri S. M. Zulfiquar-ulla, Smt. Seema Garg, IFS and Sri Hemanna, Deputy Secretary to Govt. Finance Dept. who had expressed their inabilities to attend the Meeting.

Shri Vijayakrishna K. T. Company Secretary Consultant drew the attention of the Board to Section 167 of the Companies Act, 2013 and mentioned that if a Director does not attend a single Meeting in a year, he/she would be disqualified to act as Director and that some of the Directors of the Company were not attending a single Meeting in a year. Chairman suggested that the Company may remind him before the next Meeting so that he, as Chairman, could urge them to attend.

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

Minutes of the 2nd Meeting for the year 2017-18 of the Board of Directors held on 23rd September, 2017 as circulated were noted.

ITEM NO. 3: ACTION TAKEN ON PROCEEDINGS OF THE PREVIOUS BOARD MEETING:

Detailed Action Taken Report on the Minutes of the previous Board Meeting as placed before the Directors as under was studied and was taken on record by the Board:

ACTION TAKEN ON DECISIONS OF THE PREVIOUS BOARD MEETING		
Item No. of Previous Meeting	Subject	Action Taken
4 (1)	Review of Public Complaints regarding encroachment of Government lands.- Observations of Accountant General. - vide letter dated 08.08.2017.(Para-13.6).	In pursuance to the observations of the Accountant General, the Deputy Commissioners have been instructed to maintain Registers and update the same every month, and also to maintain similar registers in the Taluk Offices, to prepare Action Plan for early disposal of complaints.
5(1)	Filing of Income Tax Returns of the Company.	Revenue Department has been requested to seek the opinion/advise from the Finance Department with regard to filing & payment of Income Tax with arrears/interest, after due

		arrears/interest, after due review/verification of IT by Messrs Giridhara & Associates, Chartered Accountants, Bengaluru. Matter was transacted separately as an agenda item.
5((ii))	Payment of Furniture bill of Rs. 2,67,692.00 to Bangalore Nirmithi Kendra, Bengaluru.	The Company has made the payment to Bangalore Nirmithi Kendra, Bengaluru.

ITEM NO. 4.1: REMOVAL OF ENCROACHMENT.

The Board noted the following:

As per the information furnished by the Deputy Commissioners, the progress achieved in removal of encroachments on

Govt. lands as on 31.12.2017 was as under:

	Details	Acres
1	Total Extent of Govt. land	63,83,633
2	Encroachment identified	12,19,570
3	Encroachment pending in Form-50/53,	7,54,125
4	Extent involved in Court cases, utilized for public purpose	16,034
5	Directly removable extent	4,49,411
6	Encroachment removed till date	264837
7	Balance	184574

Till now around 2.64 lakh acres of land has been freed from encroachment.

Certain details sought by Shri Shivayogi C. Kalsad, IAS were furnished.

ITEM NO. 4.2: PUBLIC COMPLAINTS REGARDING ENCROACHMENT ON GOVERNMENT LANDS:

The Board was briefed as under:

The Company has been receiving complaints from the public with regard to encroachment on Govt./public lands and sending them to the field level officers of concerned departments viz. DCs, Tahsildars, ACFs, Commrs of CMC/TMC. Etc. for examination and remedial action. Out of 2634 complaints 762 complaints have been disposed of and 1872 complaints are still pending. In all these cases, after sending the complaint to the concerned officers, the Company has been repeatedly reminding the said officers by sending letters and holding frequent

meetings (division-wise/district-wise). Further, in pursuance to the observation of the Accountant General vide para 13.6(letter dated 08.08.2017), necessary instructions have been issued to the Deputy Commissioners to adopt certain steps in disposing the public complaints.

It was reported by Managing Director that the complaints are being computerized and the Board urged to take necessary precautions.

ITEM NO. 4.3: PROTECTION OF RECOVERED LANDS:

The Board noted the following:

Protection of Government land is being done through the Deputy Commissioners by providing Government grants to the Deputy Commissioners for fencing the recovered Government lands. An amount of Rs.1986.00 lakhs has been released to all the Districts out of which 24 districts have sent utilization certificate for having spent Rs.1061.99 lakhs. Balance amount with the DCs is Rs.924.01 lakhs.

Managing Director informed the Board that all the disbursements have been completed and that the Utilisation Certificates are to be received from the DCs. Shri Shivayogi C. Kalsad, IAS suggested that reminder be sent to DCs. Further, it was suggested to seek the support of Chairman on this matter.

Shri S. Palaiah, IAS updated the Board on the disbursements made from his District.

ITEM NO. 4.4: DATABASE OF LAKES IN THE STATE:

The Board was briefed as under:

As per one of the ancillary objectives of the Company, i.e. to collect the data about the Govt./Public lands, the Company has developed a web based software to provide information about the lakes in the State in public domain. This program consists of (i) Preparation of Register of Lakes, (ii) Details of encroachment, (iii) Steps taken to remove encroachment, (iv) Details of Court cases and (v) Development works done. Approximate number of lakes as per the 'Bhoomi' records is 38547, whereas, data entry made by the Tahsildars is for 35,311 lakes in stage-(i). Rest of the stages are yet to be completed by the Tahsildars.

The Board noted the same.

ITEM NO. 4.5: SURVEY OF ALL LAKES IN THE STATE AND MARKING THE BOUNDARIES:

Attention of the Board was drawn to the following:

As per para 363 of the Budget for the year 2017-18, a new project is introduced to survey all lakes in the State by constituting district-wise Task Force under the chairmanship of the Deputy Commissioners. Following actions have been taken.

a. The Government has constituted the Task Force in the districts vide G.O. No.RD/60/BhuDaSa/2017, dated 10.05.2017.

b. District-wise target has been fixed (vide letter dated 20.12.2017 of the KPLC)

It was further informed that the proposal for releasing of funds to the Deputy Commissioners has been submitted vide letter dated 18.01.2018 by the Company.

Shri Shivayogi C. Kalsad, IAS suggested that for speedy completion of this project, the services of a professional agency could be engaged on out source basis to undertake survey of lakes and that on pilot basis this can be tested.

After discussions, the Board authorized Managing Director to discuss with Commissioner, Department of Survey Settlement & Land Records and see if the Commissioner himself can support, or whether he would recommend to outsource the survey work to a reputed professional agency by adopting the prescribed procedures.

ITEM NO. 5.1: PAYMENT AND FILING OF INCOME TAX FOR THE FINANCIAL YEAR 2015-16 & 2016-17:

The Board was briefed as under:

The Company has appointed Messrs Giridhara & Associates, Chartered Accountants, Bengaluru as the Tax Auditors under section 44 (A) & (B) of Income Tax Act, 1961 to conduct the Tax Audit of the Company. The Tax Auditors have reconciled and finalized the Tax Audit for the Assessment Year 2016-17 & 2017-18 and submitted the Tax Audit Reports with the Form 3 CA/Form 3CD with the Annexure for both the financial years.

As per the IT/TDS Statements, Rs. 88,86,173.00 (Rupees Eighty Eight Lakhs Eighty Six Thousand One Hundred Seventy Three Only) is payable as IT including the due Interest of Rs. 26,74,218.00 for the Assessment year 2016-17. (Annexure II).

For the Assessment Year 2017-18, the IT/TDS of Rs. 55,74,005.00 (Rupees Fifty Five Lakhs Seventy Four Thousand and Five Only) is payable as IT including the due Interest of Rs. 8,52,261.00 (Annexure III). After filing of

Income Tax returns, the refund claims may be made on the interest, etc., wherever paid depending upon the CBDT & CIT directions.

The proposal for the payment of Income Tax has been submitted to the Administrative Department to get the Concurrence/opinion from the Finance Department. The Tax Auditors have strongly recommended to make the due IT payments with the returns in scheduled time limits

Detailed discussions took place and the Chairman advised to seek the Concurrence/Opinion from the Finance Department to pay the Income Tax arrears with interest as per the provisions of the IT Act.

ITEM NO. 5.2: CONVERSION OF COMPANY AS NON-PROFIT ORGANIZATION AS PER SECTION 8 OF THE COMPANIES ACT, 2013:

The Board was apprised as under:

The proposal was placed before the 3rd Meeting of the Board for the Financial Year 2015-16 held on 5th December, 2016 and it was resolved to place the proposal before the State Government for conversion of the Company as non-profit organization as per Section 8 of the Companies Act, 2013.

After due submission of the proposal, certain clarifications were sought from the Administrative Department. In turn the Company Secretary vide his letter Dated 09.12.2017, has suggested the procedures for the conversion of the Company as non-profit Company under Section 8 of the Companies Act, 2013. The copy of the letter as placed before the Board was perused by the Directors.

Further, the Company has to alter the Memorandum of Association and the Articles of Association in consultation with the Law Department and other Authorities to frame the points for conversion of the Company into a non-profit Company with due justification and to place before the Government for approval.

After detailed discussions, considering the nature of the activities carried on by the Company for and on behalf of the State Government and there being no other commercial activity carried on by the Company, the Board recommended to convert the Company into a Company for Not Profit as referred to in Section 8 of the Companies Act, 2013 and passed the following resolution:

“RESOLVED THAT subject to such requisite approval from the Government of Karnataka and pursuant to the provisions of Section 18 of the Companies Act, 2013 (Act) and the Rules made there under, consent of the Board be and is hereby accorded to convert the Company into a Company not for Profit, i.e Section 8 Company under the Act.

RESOLVED FURTHER THAT Managing Director of the Company be and is hereby authorized to take all the necessary actions as may be necessary including

obtaining suitable approval from the Government of Karnataka for the said purpose.”

ITEM NO. 5.2: AUTHORIZING ANY ONE DIRECTOR OF THE COMPANY TO PROCURE THE GOODS AND SERVICES TAX (GST) REGISTRATION AND CERTIFICATE:

It was briefed that as per the GST Act, 2016 under section 19, the Company has to get the Registration of GST to get the GSTIN number from the GST authorities, The Company has got the Provisional GST Registration No. 29AADCK8797NIZE under Form GST REG – 25 on 26.06.2017. To obtain the Permanent GST Registration and Certification, the Board Resolution is necessary under the GST Act, to authorize one of the Directors to sign the necessary papers, documents, forms, etc., to submit before the GST Authorities.

After discussions, the following resolution was passed:

“RESOLVED THAT the Board hereby appoints Managing Director of the Company as the Authorized Signatory for enrolment of the Company on the Goods and Service Tax (GST) System Portal and to sign and submit various document electronically and/or physically and to make applications, communications, representations, modifications or alterations on behalf of the Company before the Central GST and/or the concerned State GST Authorities as and when required.

FURTHER RESOLVED THAT Managing Director be and is hereby authorized to represent the Company and to take necessary actions on all Goods and Service Tax related issues including but not limited to presenting documents/records etc., on behalf of the Company, liaising/ representing for registration of the Company and also to make any alterations, additions, corrections, to the documents, papers, forms, etc., filed with GST Authorities as and when required.

FURTHER RESOLVED THAT Managing Director be and is hereby authorized on behalf of the Company to sign the returns, documents, letters, correspondences etc. and to represent on behalf of the Company, for assessments, appeals or otherwise before the GST Authorities as and when required.

RESOLVED FURTHER THAT Managing Director of the Company be and is hereby authorized to take all necessary steps in connection with the above resolution and to give effect to this resolution.”

OTHER BUSINESS TRANSACTED WITH THE PERMISSION OF THE CHAIRMAN AND WITH THE CONSENT OF MAJORITY OF THE DIRECTORS PRESENT:

6. SITTING FEE TO THE DIRECTORS FOR ATTENDING THE BOARD MEETINGS:

With the consent of Chairman, Managing Director drew the attention of the Board to the proposal of payment of sitting fee to the Directors for attending the Meetings. He briefed that as per the Government of Karnataka norms sitting fee of Rs. 1000/- for per Meeting/ per Official Director is permitted. Considering the same the Board passed the following resolution:

“RESOLVED THAT as per the Government of Karnataka Rules the Official Directors of the Company be paid sitting fee of Rs.1000/- per Board Meeting attended with effect from this Meeting.”

Chairman confirmed that requisite quorum was present throughout the Meeting.

There being no other business to transact, Meeting concluded with a vote of thanks to the chair at 3.45 PM.

Date on which draft Minutes forwarded to the Directors for their comments.	14.02.2018
Last date for receiving comments from the Directors	21.02.2018
Date of recording of the Final Minutes in Minutes Book	

Bangalore
01.03.2018


Dr. E. V. Ramana Reddy, IAS
Chairman