

**MINUTES OF 1<sup>st</sup> MEETING FOR THE YEAR 2023-2024 OF THE BOARD OF DIRECTORS OF KARNATAKA PUBLIC LANDS CORPORATION LIMITED HELD AT 11.00 AM ON FRIDAY, 16<sup>th</sup> JUNE, 2023 AT 2 FLOOR, DEPUTY COMMISSIONER'S OFFICE BUILDING, NEAR CITY CIVIL COURT COMPLEX, K.G. ROAD, BANGALORE- 560009 AND THROUGH VIDEO CONFERENCE**

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**PRESENT:**

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| 1 | Shri. Rajender Kumar Kataria, I A S | Chairman          |
| 2 | Shri. Amlan Aditya Biswas, I A S    | Director          |
| 3 | Shri. Krishna Bajpai, I A S         | Director          |
| 4 | Shri. P Vasantha Kumar, I A S       | Managing Director |
| 5 | Shri. C N Sreedhara, I A S          | Director          |

**IN ATTENDANCE:**

- |    |                                |                 |
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| 1. | Smt. Noor Zahara Khanum, K A S | General Manager |
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**BY INVITATION:**

- |    |                         |                                |
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| 1. | Shri. Vijayakrishna K T | Company Secretary (Consultant) |
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**PROCEEDINGS OF THE MEETING:**

At 11.00 AM, Shri. P Vasantha Kumar I A S, Managing Director extended a hearty welcome to Shri. Rajender Kumar Kataria I A S who was newly appointed as Chairman of the Company and to other Directors, including newly appointed Directors.

Shri. Rajender Kumar Kataria, I A S, Chairman occupied the chair and after ascertaining the presence of requisite quorum, he conducted the proceedings of the Meeting. He extended a hearty welcome to all the Directors and invitee present at the Meeting. Chairman overviewed the facility of video-conference in accordance with the provisions of Companies Act, 2013 which was already communicated to all the Directors of the Company along with Notice of the Meeting.

After taking the attendance of the Directors present through video conference facility, Chairman explained the procedure for participating in the Meeting along with the procedure to vote in the Meeting and ensured that none other



than said participants were attending through video conference mode and that the said participants were visible and audible to all the participants and also others were visible and audible to the participants and further confirmed that they had received the agenda and notes thereon in time.

**ITEM NO. 1:**

**RE-CONSTITUTION OF THE BOARD- APPOINTMENT OF NEW CHAIRMAN:**

The Board noted that the Government of Karnataka by exercising their rights under the Articles of Association of the Company had issued the Government Notification No. RD 29 LGB 2020, dated: 14-6-2023 appointing new Chairman of the Company. Accordingly, the Board appointed Shri. Rajender Kumar Kataria, I A S, Principal Secretary to Government, Revenue Department as the Chairman and Director of the Company.

SI No.	Outgoing Chairman	New Chairman
01.	Shri Jayaram N, I A S Secretary, Revenue Department	Shri Rajender Kumar Kataria, I A S, Principal Secretary, Revenue Department

After discussions, the Board passed the following Resolutions:

“RESOLVED THAT the appointment of Shri. Rajender Kumar Kataria, I A S, as the Director and Chairman on the Board of Karnataka Public Lands Corporation Limited in terms of the Articles of Association of the Company and Government Notification No. RD 29 LGB 2020, dated: 14-6-2023 in place of Shri. Jayaram N, IAS, be and is hereby noted.

RESOLVED FURTHER THAT any one Director of the Company be and is hereby authorized to give effect to the above resolutions including filing of necessary returns with the Ministry of Corporate Affairs.”

The Board placed on the record its appreciation for the services rendered by Shri. Jayaram N, I A S during his tenure in the Company.



**ITEM NO. 2: RE-CONSTITUTION OF THE BOARD – APPOINTMENT OF NEW DIRECTORS:**

The Board noted that the Government of Karnataka by exercising their rights under the Articles of Association of the Company had issued the Government Order reconstituting the Board of Directors of the Company with the following Notifications;

- a) No. RD 29 LGB 2020 dated: 04.03.2023
- b) No. RD 29 LGB 2020 dated: 10.03.2023
- c) No. RD 29 LGB 2020 dated: 03.05.2023
- d) No. RD 29 LGB 2020 dated: 14.06.2023

**i) APPOINTMENT OF SHRI. M. G. HIREMATH, I A S AS DIRECTOR OF THE COMPANY:**

After discussions, the Board passed the following Resolutions:

“RESOLVED THAT the appointment of Shri. M. G. Hiremath, I A S as Director of the Company in place of Shri. Mohan Raj K. P. I A S be and is hereby noted.

RESOLVED FURTHER THAT any one of the Directors of the Company be and is hereby authorized to file the necessary returns with the Ministry of Corporate Affairs.”

**ii) APPOINTMENT OF SHRI. P. SUNIL KUMAR, I A S, AS DIRECTOR OF THE COMPANY:**

After discussions, the Board passed the following Resolutions:

“RESOLVED THAT the appointment of Shri. P. Sunil Kumar, I A S as Director of the Company in place of Shri. M. G. Hiremath, I A S be and is hereby noted.

RESOLVED FURTHER THAT any one of the Directors of the Company be and is hereby authorized to file the necessary returns with the Ministry of Corporate Affairs.”



**iii) APPOINTMENT OF SHRI. C. N. SHREEDHARA., I A S AS DIRECTOR OF THE COMPANY:**

After discussions, the Board passed the following Resolutions:

“RESOLVED THAT the appointment of Shri. C. N. Shreedhara, I A S as Director of the Company in place of Shri. Munish Moudgil, I A S be and is hereby noted.

RESOLVED FURTHER THAT any one of the Directors of the Company be and is hereby authorized to file the necessary returns with the Ministry of Corporate Affairs.”

**iv) APPOINTMENT OF SHRI. BASAVARAJENDRA H. I A S AS DIRECTOR OF THE COMPANY:**

After discussions, the Board passed the following Resolutions:

“RESOLVED THAT the appointment of Shri. Basavarajendra H. I A S as Director of the Company in place of Smt. Rohini Sindhuri Dasari, I A S be and is hereby noted.

RESOLVED FURTHER THAT any one of the Directors of the Company be and is hereby authorized to file the necessary returns with the Ministry of Corporate Affairs.”

**v) APPOINTMENT OF SHRI. J.E. YATHISH CHANDRAN, DIRECTOR, OF THE COMPANY:**

After discussions, the Board passed the following Resolutions:

“RESOLVED THAT the appointment of Shri. J.E. Yathish Chandran, as Director, of the Company in place of Shri. C. Mruthyunjaya Swamy, K.E.S, be and is hereby noted.

RESOLVED FURTHER THAT any one of the Directors of the Company be and is hereby authorized to file the necessary returns with the Ministry of Corporate Affairs.”

The Board placed on the record its appreciation for the services rendered by Shri. Mohan Raj K.P. I A S, Shri. M. G. Hiremath, I A S, Shri. Munish Moudgil, I A S, Smt. Rohini Sindhuri Dasari, I A S, Shri. C Mruthyunjaya Swamy, K.E.S during their tenures in the Company.



It was reported that in the last quarter of 2022-23, Board Meeting could not be held as mandated under the Companies Act, 2013 in view of Karnataka Assembly Election related issues. Chairman cautioned that the Company should ensure to conduct all statutory Meetings here afterwards.

**ITEM NO.3 : GRANTING OF LEAVE OF ABSENCE TO DIRECTORS, IF ANY:**

Leave of absence was granted to Directors of the Company, Shri. P Sunil Kumar, I.A.S., Dr. G C Prakash I.A.S, Shri. Basavarajendra H, I.A.S, Shri. Dayananda K A, I.A.S, Smt., R Latha, I.A.S, Shri. J. E. Yatish Chandra and Shri. Khan Parvez, who had expressed their inabilities to attend the Board Meeting.

**ITEM NO.4: NOTING OF THE MINUTES OF THE PREVIOUS BOARD MEETING:**

Minutes of the 3<sup>rd</sup> Meeting of the Board of Directors for the Financial Year 2022-23 held on 31.01.2023 as circulated was noted.

**ITEM NO.5: ACTION TAKEN ON THE DECISIONS OF THE PREVIOUS BOARD MEETING:**

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

<b>Item No's. of Previous Meeting</b>	<b>Subject</b>	<b>Action Taken</b>
Item No. 6	Review of Business.	Board Noted and approved the same
Item No. 7	Transfer of 967.20 Acres of Unutilized lands of BEML at Robertson Pete, KGF Village to KPLC	Board Noted and approved the same
Item No. 8	Statutory Auditors Appointed by C & AG for the Y 2022-23.	Board Noted and approved the same
Item No. 9	Investment of Surplus Funds	Board Noted and approved the same



Item No. 10	Floating of E-Tender for Investing Fixed Deposit.	Board Noted and approved the same
Item No. 11	Remittance of Income Tax Dues of Rs. 85,240/- for the F Y 2020-21 (A Y 2021-22)	Board Noted and approved the same
Item No. 12	Accounting of Interest Earned on Fixed Deposits.	Board Noted and approved the same
Item No. 13	Appointment of Legal Advisor to KPLC on Contract Basis.	Board Noted and approved the same

There were lengthy discussions on the transfer of 967.20 Acres of unutilized lands of BEML at Robertson Pete, KGF Village to the Company.

Chairman addressed the meeting focusing on the following:

- i) Why is the Company being an extended arm of the Government of Karnataka not incorporated as a "NOT FOR PROFIT" Company under the Companies Act, 2013.
- ii) Income tax paid by the Company on the Interest earned from Fixed Deposits kept out of the Grants received from the Government of Karnataka.
- iii) Object of the Company is to protect the Government land from illegal encroachment and to secure the same to the custody of Government.
- iv) The Government of Karnataka may seek, 967.20 acres of unutilized lands of BEML at Robertson Pete, KGF Village from the Company to further enhance the Industry focused facilities of the State and what could be the tax implications if the Company transfers the ownership in the said land?
- v) Can the Company be converted in to "NOT FOR PROFIT" under Section 8 of the Companies Act, 2013 and what could be legal procedure and tax implications?

Shri. Amlan Aditya Biswas, I A S and Shri Krishna Bajpai, I A S, supplemented the above and offered their views as well.

After due deliberations, the Board directed that suitable tax advisory be obtained from competent Chartered Accountant on Tax implications if the Company transfers the ownership in the aforesaid land and also on other views on tax saving mode.

Chairman requested Shri. Vijayakrishna K T, Company Secretary to offer suitable advice on conversion of Company in to "NOT FOR PROFIT" Company.



## **ITEM NO. 6: REVIEW OF BUSINESS:**

Attention of the Board was drawn to the following:

### **(1) Removal of Encroachment:**

As per the information furnished by the Deputy Commissioners the progress achieved in removal of encroached Govt. lands were noted to be as follows. (As on 30-04-2023)

<b>Sl. No</b>	<b>Details</b>	<b>Acres</b>
1	Total Extent of Govt. land	6415172
2	Encroachment identified	1462639
3	Encroachment pending in Form-50/53,	1035657
4	Extent involved in Court cases, utilized for public purpose	28058
5	Directly removable extent	398924
6	Encroachment removed till (30-04-2023)	272677
7	Balance	126247

District wise information was furnished.

Shri. Amalan Aditya Biswas, I A S, suggested that a separate corpus be created for this purpose at the disposal of all the Deputy Commissioners in the State to which Chairman opined that this could be taken up at the Government level.

The Board noted the same.

### **(2) Public Complaints regarding encroachment on Govt. lands:**

The Board was briefed on the following:

The Company has been receiving complaints from the public with regard to encroachment of Govt. / Public lands and sending them to the field level officers of concerned department's viz. Deputy Commissioners, Tahsildars, ACFs, Commissioners of CMC / TMC. Etc., for examination and remedial action. Out of 3266 complaints 1004 complaints have been disposed off and 2262 complaints are still pending. In all these cases, after sending the complaint to the concerned officers, the KPLC has been repeatedly reminding the said Officers by sending letters and holding frequent meetings to redress the public complaints.

District wise information was furnished.

The Board noted the same.



**(3) Protection of recovered lands:**

The Board noted that the Protection of Government land from encroachment is being done through the Deputy Commissioners by providing requisite Grants to the Deputy Commissioners for fencing the recovered Government lands. An amount of Rs. 3463.59 lakhs has been released to all the Districts out of which 29 districts have sent UC's-Utilization Certificates for having spent Rs. 2349.55 lakhs and balance amount with the DCs is Rs. 1508.94 lakhs. The Deputy Commissioners have also been requested to submit the proposals for the release of DC Grants.

District wise information was furnished.

The Board noted the same.

**ITEM NO. 7 : PAYMENT OF ADVANCE INCOME TAX FOR THE F Y 2022-23:**

The Board noted the following:

The Company has paid an amount of Rs. 30.00 lakhs as advance tax on 13-03-2023 on Self Assessment basis as per the advice of Internal Auditors. The Tax Audit under Section 44 (AB) of IT Act, 1961 for the Financial Year 2022-23 will be taken up and after the final calculations, the balance Income Tax will be paid and necessary Income Tax Returns will also be filed within the due dates.

The above were taken note of, by the Board.

**ITEM NO. 8 INVESTMENTS OF SUPLUS FUNDS:**

The Board noted the following:

The Govt of Karnataka vide Circular No.FD.91 TAR 2022 Bengaluru dated: 02-07-2022 issued guidelines for investment of Surplus Funds by Boards, Corporations, Local Bodies, Authorities and Autonomous Bodies etc., for efficient and scientific management of Surplus Funds and also preventing the unutilized funds from lying idle for generating the returns out of own funds to improve the profitability of the Company.





As per the Circular instructions, Tenders were floated in the e-procurement portal inviting competitive quotations through e-Auctions for investment of Surplus Funds as and when the Fixed Deposits were matured strictly adhering to the guidelines / instructions. Accordingly, an amount of Rs.10.00 crores has been invested in Fixed Deposit on 03-06-2023 for a period of One Year at Bank of Baroda at 7.65% yearly interest and as on the date an amount of Rs.37.26 crores has been invested in Fixed Deposits.

Chairman advised that since the Company pays Income tax on the interest earned out of the Fixed Deposits with Government Grants which is avoidable, the Company may stop seeking any Grants from the Government of Karnataka even for Salaries of regular staff till the deposit and the Chairman advised Managing Director to notify the Government of Karnataka not to release fresh Grants which was agreed to, by the Board.

Chairman also suggested that Managing Director may review with Shri. Amlan Aditya Biswas I A S and work out suitable guidelines for distribution of the funds amongst the Deputy Commissioners for encroachment removal and protection of Government land.

**ITEM NO. 9 PAYMENT OF INCOME TAX AMOUNT OF RS. 41,41,490/- FOR THE F Y 2017-18 .**

The Board noted the following:

The Comptroller & Auditor General vide Audit Enquiry /CA / No: 9 dated: 13/12/2022 has reported that the Company did not file any Income Tax Returns for the Financial Years from 2012-13 to 2017-18 for which statutory audit could not comment on the impact of the same on the Income and Expenditure position in the statement of profit and loss accounts.

In view of the Audit Enquiry issued by the C & A G, quotations were called to appoint Tax Auditors for computation of Income Tax for the FY 2017-18 and also to take action to file Income Tax Returns for the period from 2012-13 to 2017-18. Accordingly, Messrs. Bharath Bohra & Co, Chartered Accountants, was appointed as Tax Auditors with specific instructions to verify the Accounts of the Company



for the year 2017-18 and to calculate the Income Tax payable by the Company and also to file Income Tax Returns for the period from 2012-13 to 2017-18.

On 21-04-2023, Messrs. Bharath Bohra & Co, Chartered Accountants, submitted the Statement of Income for the year 2017-18 wherein an amount of Rs.41,41,490/- has been shown as balance of Income Tax Payable by the Company and informed to remit the same immediately. Hence, an amount of Rs.41,41,490/- has been remitted to the Income Tax Department on 28-04-2023 vide challan No.03672/28/04/2023 with Company PAN No. AADCK8797N.

Further, Tax Auditors in their report dated 02-05-2023 also stated that the Income Tax Returns cannot be filed now for the FY 2012 -13 to 2017-18.

The Board after due consideration, ratified the actions taken to comply the C & A G Audit Report.

Chairman confirmed that the quorum was present throughout the Meeting. There being no other business to transact, the Meeting concluded with vote of thanks to the chair at 11:45 AM.

Place: Bangalore  
Date: 16-06-2023



Rajender Kumar Kataria, I A S  
Chairman