



1956



The Companies Act, 2013



By Anoop Upadhyay



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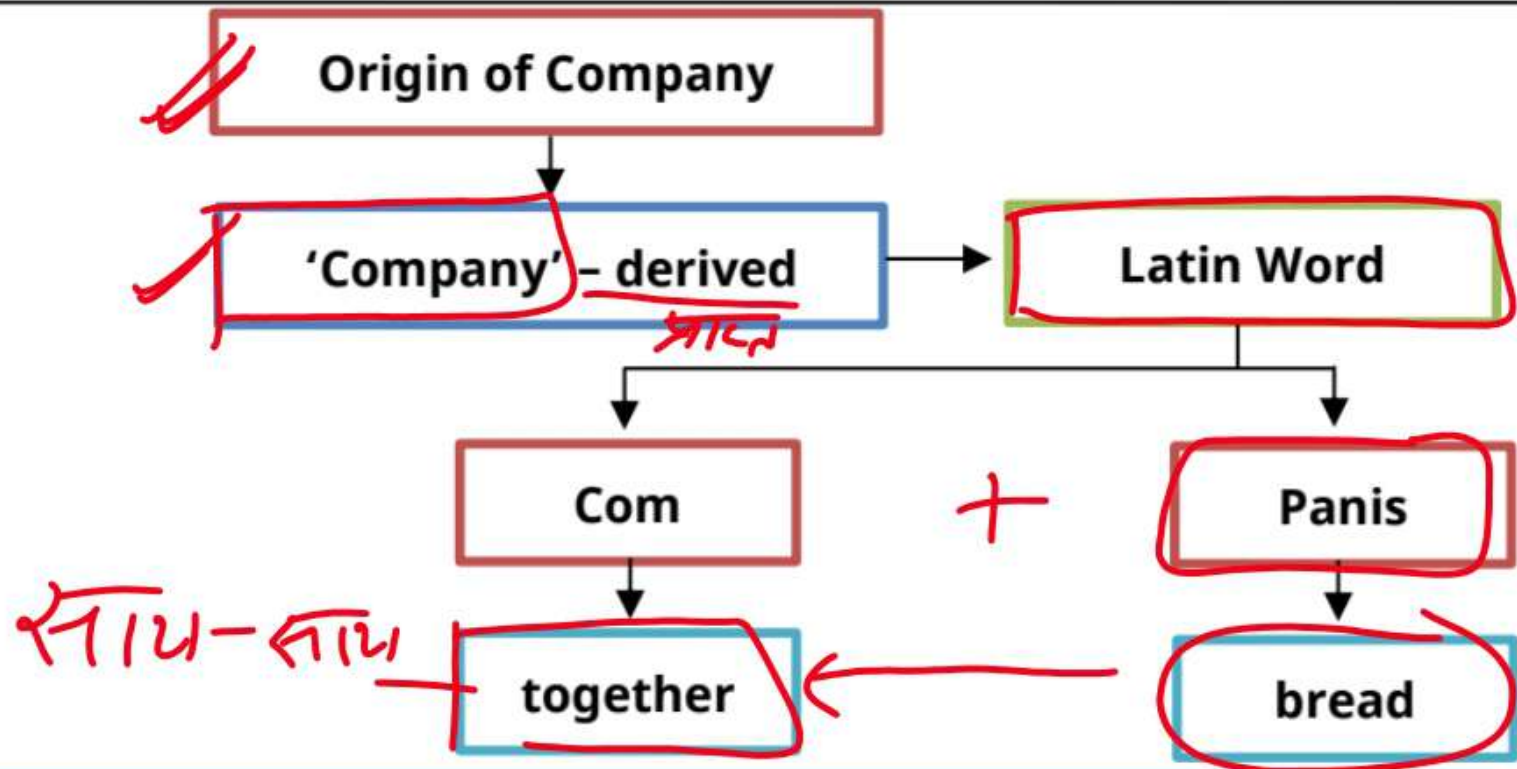


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Meaning - company - An Association of Persons who took their meals together.
(कंपनी - व्यक्तियों का एक संघ जो अपना भोजन एक साथ लेते थे।)

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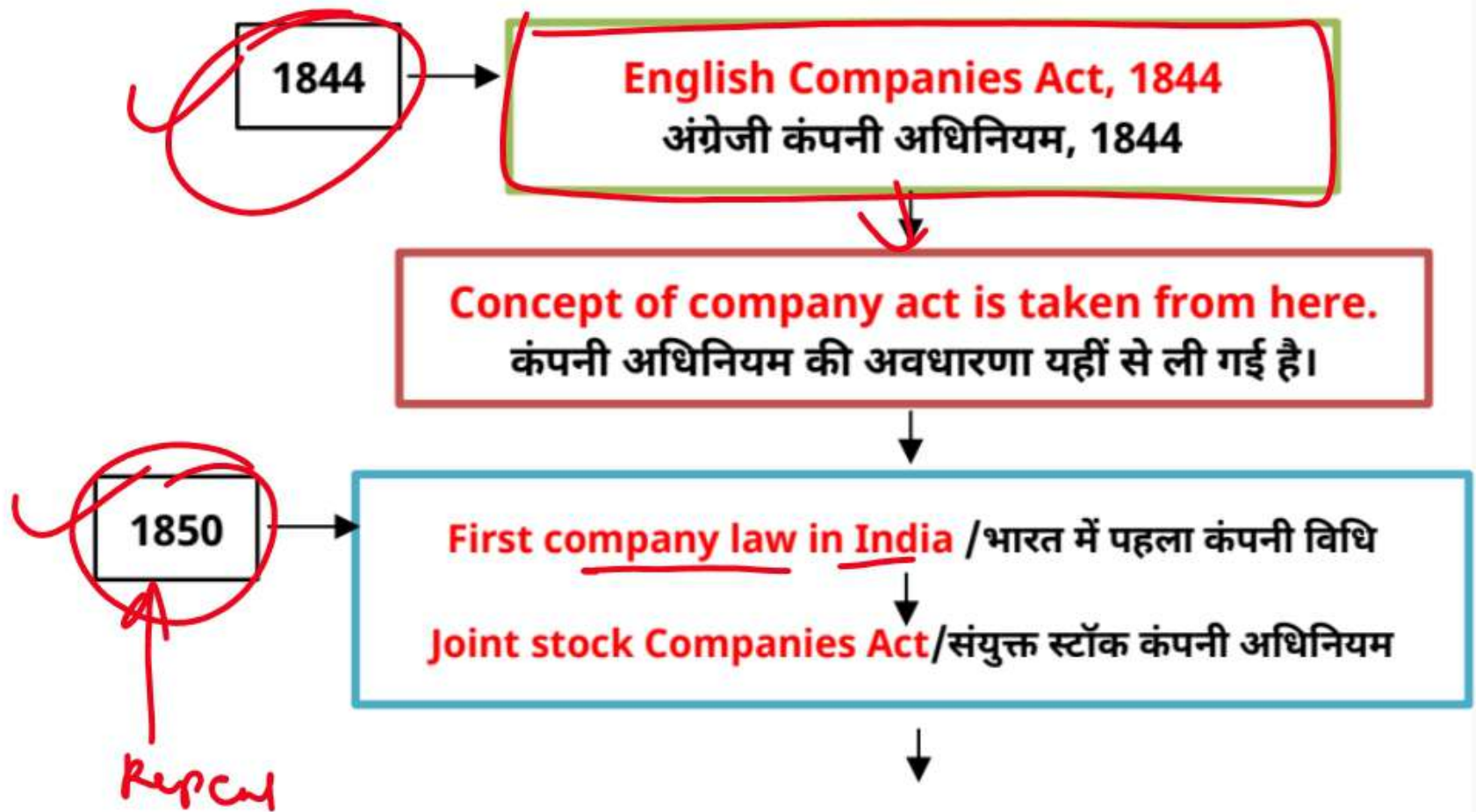


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1857

Joint stock companies Act, 1857 - Repealed the Joint stock companies Act, 1850
संयुक्त स्टॉक कंपनी अधिनियम, 1857 - संयुक्त स्टॉक कंपनी अधिनियम, 1850 को निरस्त कर दिया

Limited Liability - Introduced first time.
सीमित दे~~खा~~ - पहली बार पेश किया गया।

दा. लि. न.

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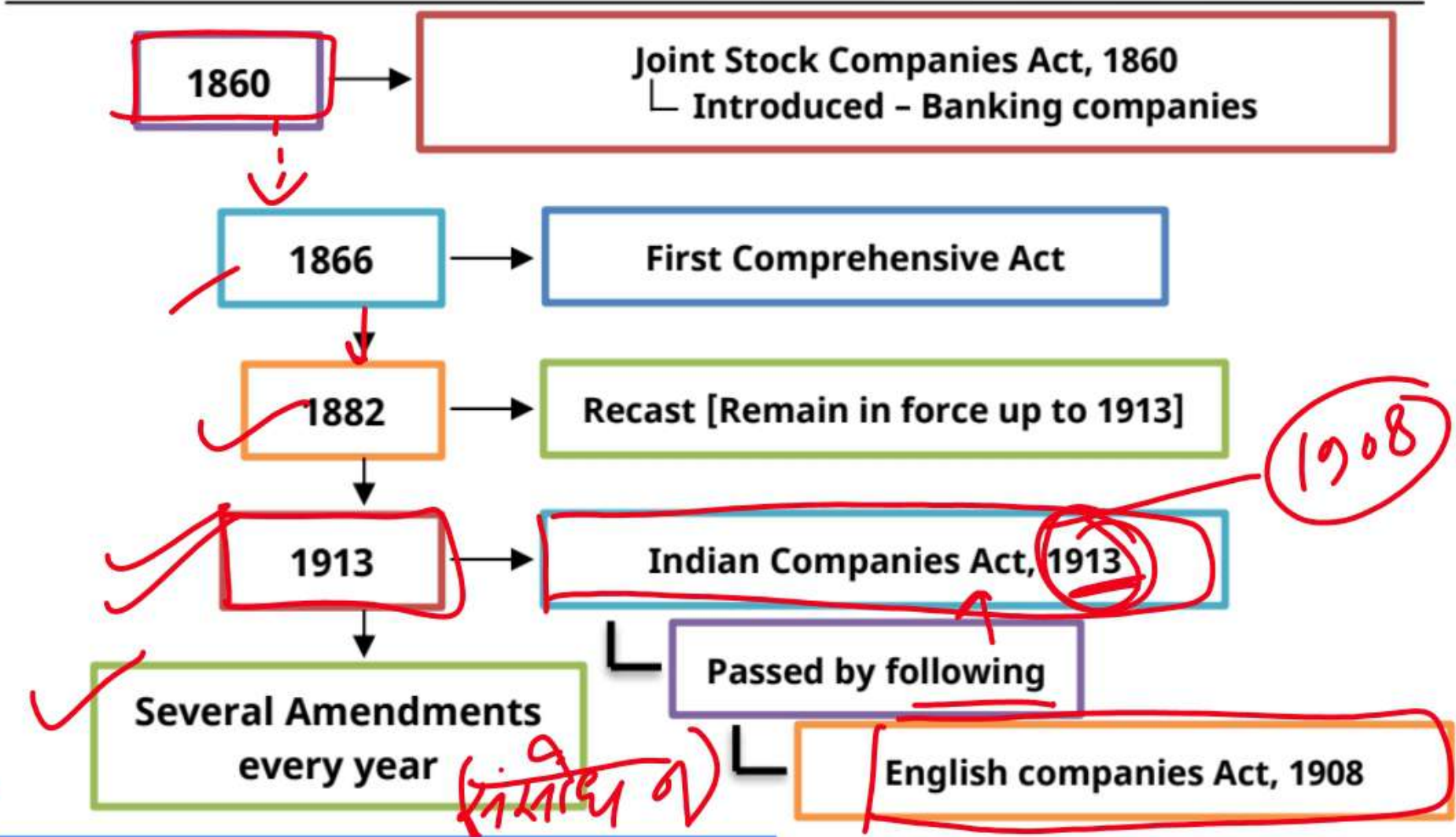
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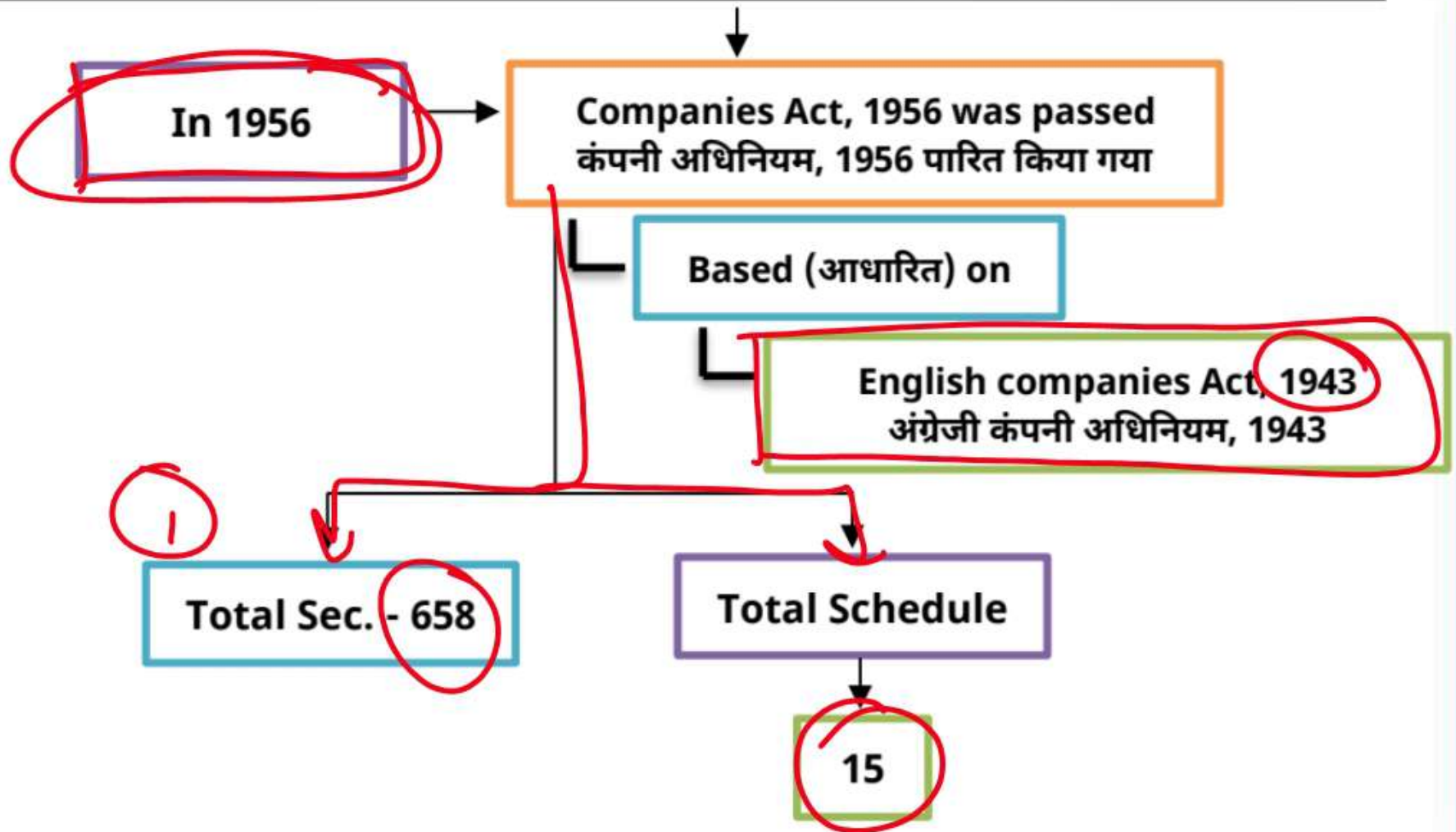


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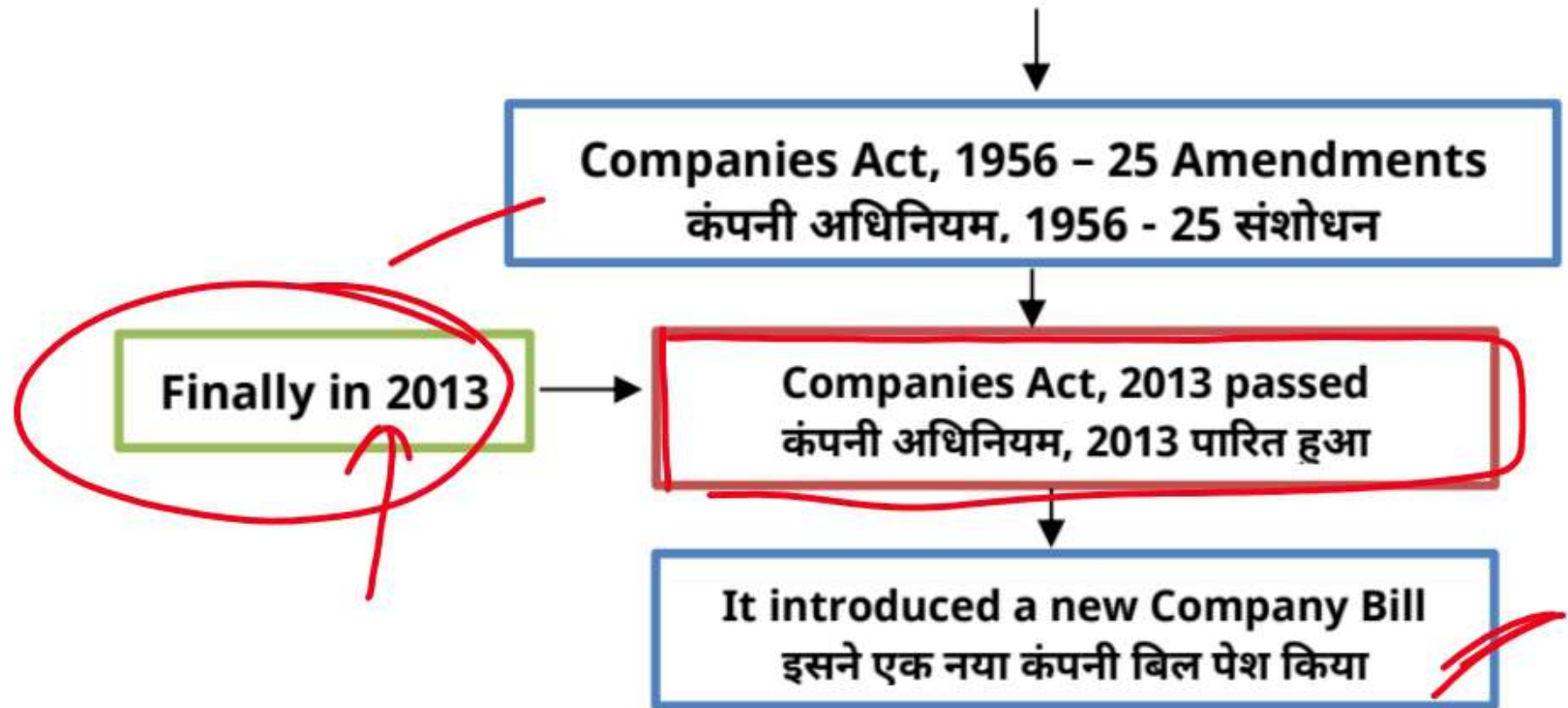
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The Companies Act, 2013

Act No.
(अधिनियम संख्यांक)

18

Total Chapters
(कुल अध्याय)

29

Old
1956

26

Total Sections
(कुल धाराएँ)

470

658

Total Schedule
(कुल अनुचियाँ)

7

15

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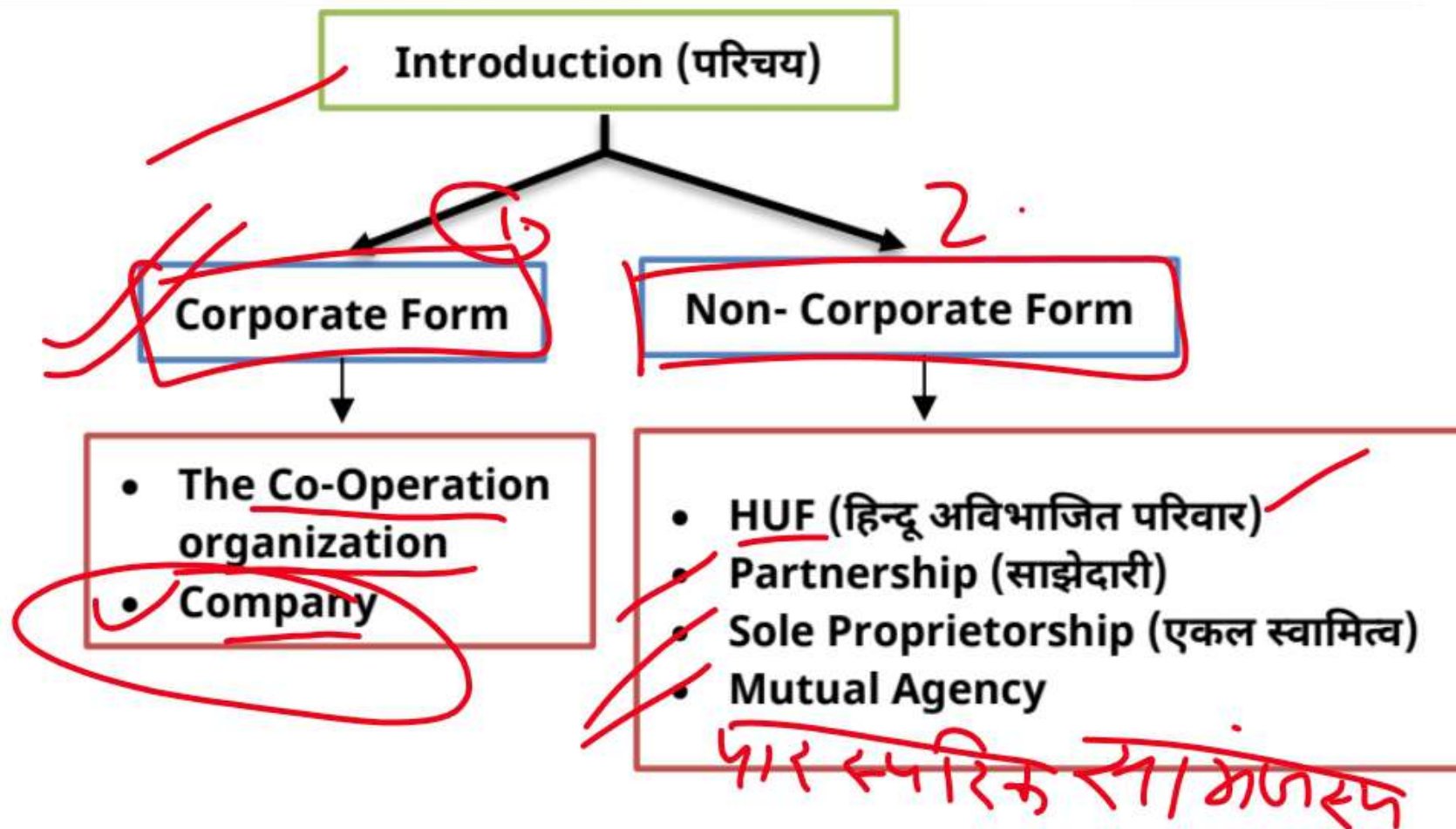
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2013

Sec. 2(20) : "Company" (कंपनी)

Registered

Means a company incorporated under this Act or under any 'Previous Company Law'.

इस अधिनियम के तहत या किसी 'पिछले कंपनी कानून' के तहत निगमित कंपनी का मतलब है।

2013

2013

Defined u/s 2(67)

(Historical Background)

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* (circled in red)

Meaning of Company (कम्पनी का अर्थ) :-



Company is a voluntary association of persons formed for the purpose of doing business having a distinct name and limited liability.



Company

A legal entity formed by a group of individuals to engage in and operate a business—commercial or industrial—enterprise.

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अलग विधिक

विशेषताएं

* Characteristics of Company :-

1. Separate Legal entity (अलग विधिक इकाई):-

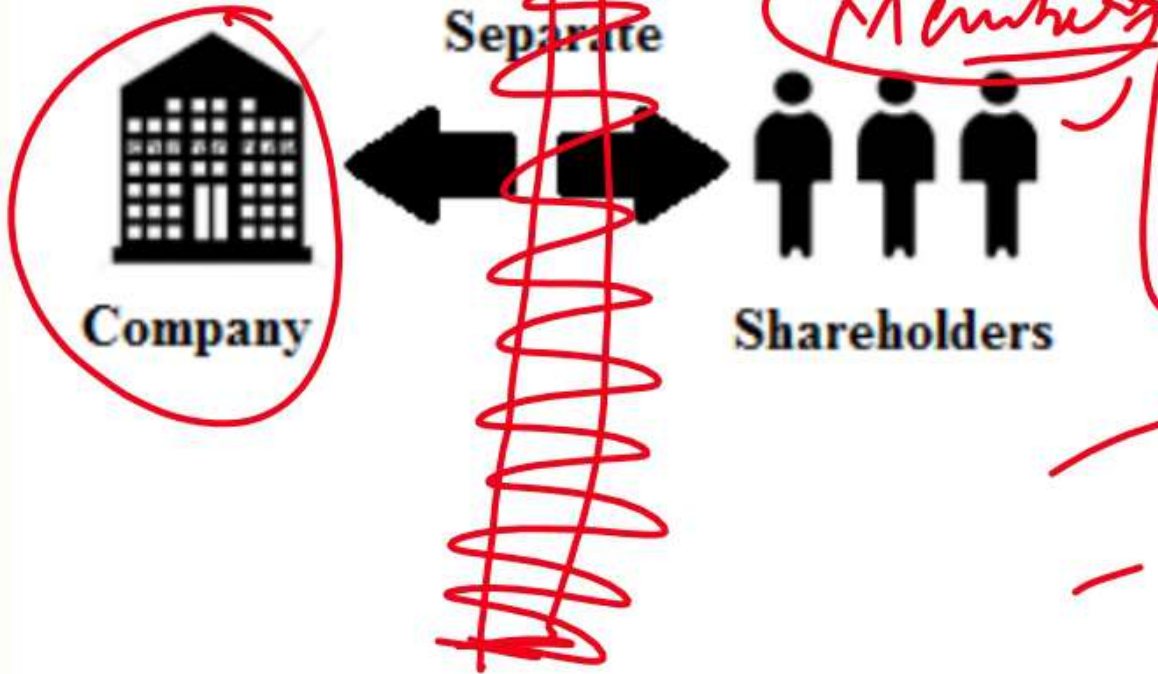
A Company is an artificial person having a personality which is distinct from its members.

एक कंपनी एक कृत्रिम व्यक्ति है जिसका व्यक्तित्व उसके सदस्यों से अलग है।

It means a company got an entity

which is separate from its members.

जो उसके सदस्यों से अलग है।



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साझेदारी
Partnership ⇒ सी

Characteristics नहीं है।

a
b
c
↓
Separate legal entity
(अलग, विहित इकाई)

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Main
Sep. leg. entity
Com

Same
Partnership
&
Partners

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A Company has a distinct legal entity independent of its members.

एक कंपनी की अपने सदस्यों से स्वतंत्र अलग विधिक इकाई होती है।

It can own property.

यह संपत्ति का मालिक हो सकता है।

It can make contracts -

यह संविदा कर सकता है - अपने नाम पर।

It can file suits

यह वाद दायर कर सकता है

In its own name

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* in real sense the members are the owners of a company, but it is being managed by the directors who are elected representatives of its members.

सही मायने में सदस्य कंपनी के मालिक होते हैं, लेकिन इसका प्रबंधन निदेशकों द्वारा किया जाता है, जो इसके सदस्यों के निर्वाचित प्रतिनिधि होते हैं।



Because it is absolutely necessary for it to have a human agency called as -

BOD

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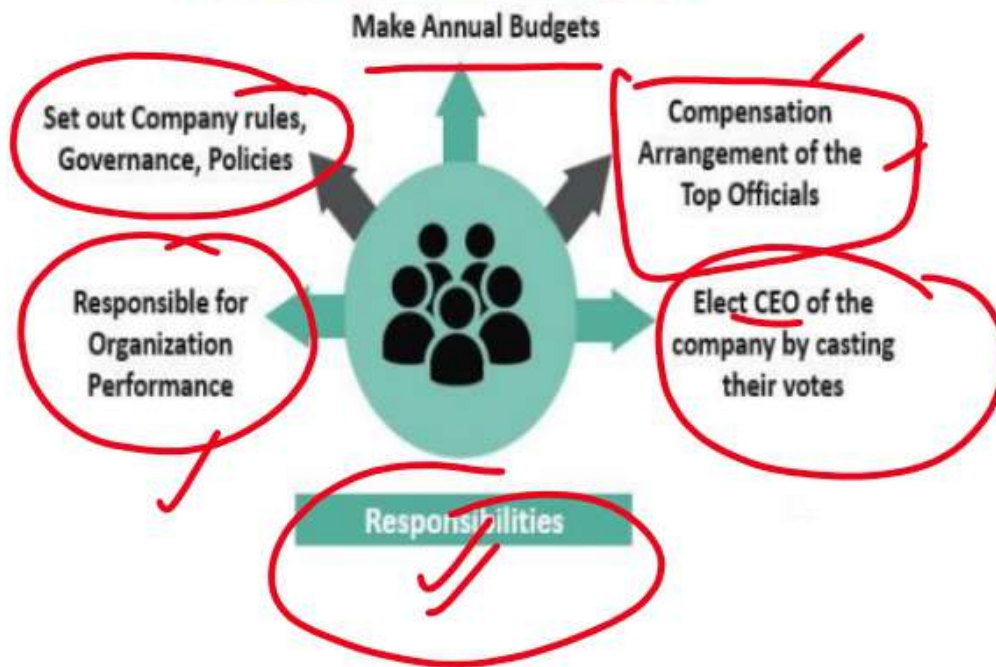


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क्योंकि इसके लिए एक मानवीय एजेंसी का होना नितांत आवश्यक है जिसे कहा जाता है -

Board of Directors



Company's Board of directors
कंपनी के निदेशक मंडल

It Consists Director's
इसमें निदेशक शामिल हैं

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Case :-

New Horizons Ltd. V/s UOI



This is the landmark case in regard to whether experience of a shareholder can be regarded as experience of company.

यह ऐतिहासिक मामला है कि क्या शेयर धारक के अनुभव को कंपनी के अनुभव के रूप में माना जा सकता है।



Generally - experience of shareholders can not be regarded as experience of Company.

सामान्यतः - शेयरधारकों के अनुभव को कंपनी का अनुभव नहीं माना जा सकता है।

Shareholder

Roles

Decide on any organizational decision

Checking and making approvals of the financial statements.

Discuss, decide & vote for directors of company.

Decide on the directors' salary.



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Salomon Vs. Salomon and Co. Ltd.



Case :- Salomon V/s Salomon & Co. Ltd (1897)

This case established the principal of separate legal entity.
इस मामले ने अलग विधिक इकाई के सिद्धांत की स्थापना की।

Known as Salomon Case
सॉलोमन केस के रूप में जाना जाता है

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Facts - Salomon had, for some years, carried on a prosperous business.

तथ्य - सॉलोमन ने कुछ वर्षों तक एक समृद्ध व्यवसाय चलाया।



He is a leather merchant and boot manufacturer.

वह चमड़े के व्यापारी और बूट निर्माता हैं।



Salomon formed a limited Company

सॉलोमन ने एक लिमिटेड कंपनी बनाई

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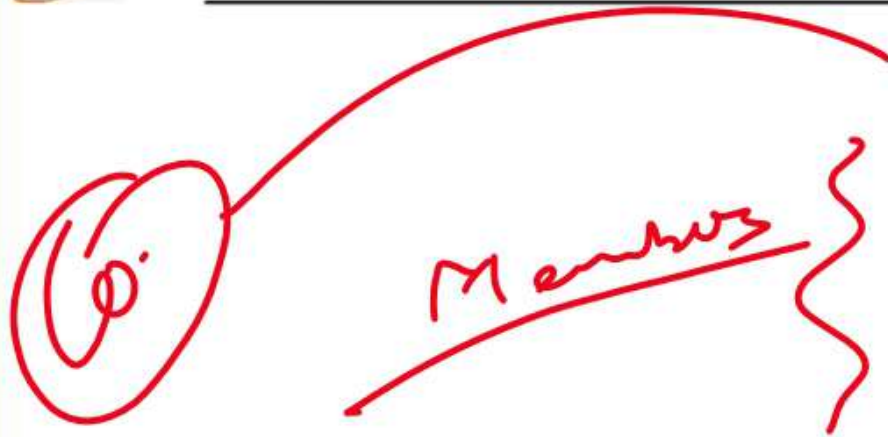


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Company consisting (कंपनी से मिलकर)-

- ✓ **Salomon**
- ✓ **Salomon's wife (पत्नी)**
- ✓ **A daughter (पुत्री)**
- ✓ **Salomon's 4 son**



All 7 members subscribed for 1 share of 1 pound each.

सभी 7 सदस्यों ने प्रत्येक 1 पाँड के 1 शेयर के लिए सदस्यता ली।



- ✓ **Salomon** - Managing director
- ✓ **2 Son's** - other Director

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Co. ~~Members~~ Members

Salomon sold his business to the Company for Rs. 38,782 Pounds.

सॉलोमन ने अपना व्यवसाय कंपनी को 38,782 पाउंड में बेच दिया।

Salomon got the following Payment :-
सालोमन को निम्नलिखित भुगतान प्राप्त हुआ :-

✓ 10,000 (Secured Debentures) × 1 Pound each = 10,000 pounds.

✓ 20,000 - (fully paid shares) × 1 pound each = 20,000 Pounds

✓ Case (रिस्क) = 8782 Pound
38782

The Company soon ran into difficulties
कंपनी जल्द ही मुश्किलों में घिर गई

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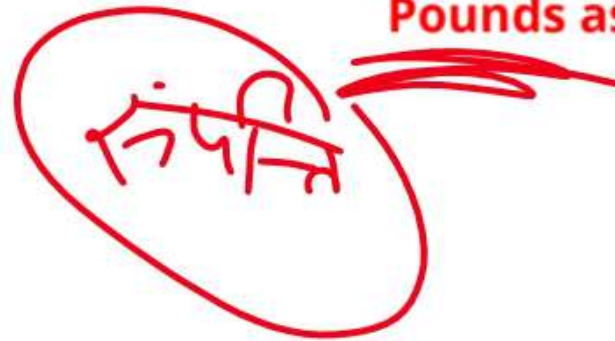




↓
Debenture Holders - appointed a receiver and
the Company went into liquidation.

डिबेंचर धारक :- एक रिसीवर नियुक्त किया गया और कंपनी परिसमापन में चली गई।

Total Assets of Company :- Calculated - ~~6050~~ 6050
Pounds as secured debenture



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~~£~~ Unsecured trade creditor's - 8,000 Pounds

असुरक्षित व्यापार लेनदार - 8,000 पाउंड



* The unsecured trade creditor's claimed the whole of the company's assets i.e. 6050 pounds on the ground that the company was a mere agent for salomon and thus they were entitled to payment of their debt in priority to debentures.

असुरक्षित व्यापार लेनदार ने कंपनी की पूरी संपत्ति यानी 6050 पाउंड का दावा इस आधार पर किया कि कंपनी सॉलोमन के लिए एक मात्र एजेंट थी और इस प्रकार वे डिबेंचर की प्राथमिकता में अपने ऋण के भुगतान के हकदार थे।

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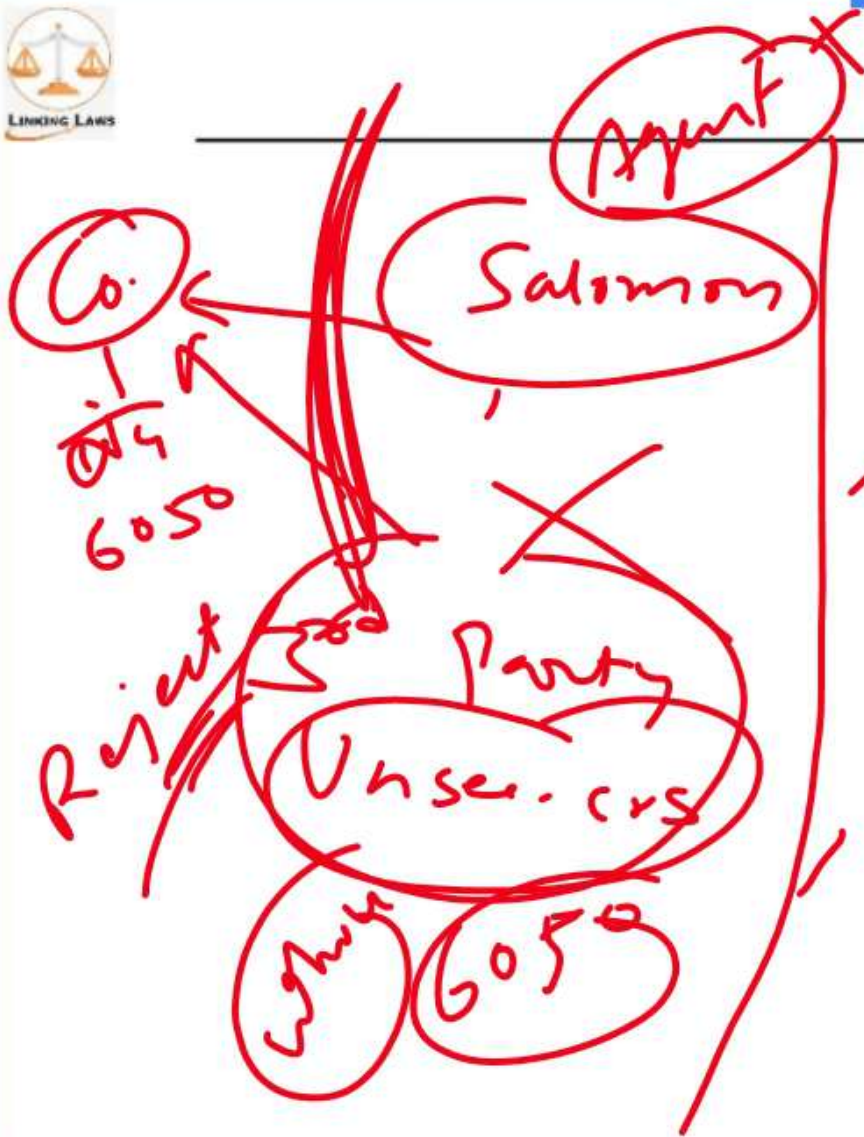
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The House of Lords rejected these contentions and held that

हाउस ऑफ लॉर्ड्स ने इन तर्कों को खारिज कर दिया और कहा कि

a company on registration, has its own existence or personality, separate & distinct from its member's.

पंजीकरण पर एक कंपनी का अपना अस्तित्व या व्यक्तित्व होता है, जो अपने सदस्यों से अलग होता है।

A Shareholder cannot be equated with a company, even if he holds virtually the total share capital of the company.

एक शेयरधारक को कंपनी के बराबर नहीं माना जा सकता है, भले ही वह कंपनी की कुल शेयर पूंजी रखता हो।

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2) Case :- Lee V/s Lee's Air farming Ltd
(1961)

Case :- Macaura V/s Northern Assurance
Co. Ltd

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Meaning of Company (कम्पनी का अर्थ):-

- **Company is a voluntary association of persons.**
कम्पनी व्यक्तियों का स्वैच्छिक वैधानिक संघ है।
- **Formed and registered under the companies act, 2013 (or) under any previous laws.**
यह कम्पनी अधिनियम, 2013 या किसी पूर्व कंपनी अधिनियम के अन्तर्गत निर्मित एवं पंजीकृत है।
- **Previous laws is defined under section 2(67)**
पूर्व कंपनी विधि धारा 2(67) में परिभाषित है।
- **In the eyes laws, it is an artificial person.**

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यह कानून की नजर में एक कृत्रिम व्यक्ति है।

➔ **Having separate legal entity from its members.**

अपने सदस्यों से अलग विधिक इकाई होना।

➔ **It has perpetual Succession & also has a common seal.**

इसका सतत उत्तराधिकार है और इसकी एक सामान्य मुहर भी है।

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Capital of company is divided into transferable shares.

कंपनी की अंश पूँजी छोटे-छोटे अंशों में बंटी होती है।

The shareholders of company are called members.

इन अंशधारकों को कंपनी का सदस्य कहते हैं।

कंपनी का अपना पृथक नाम तथा अपने सदस्यों से पृथक एवं स्थायी अस्तित्व होता है।

कंपनी के सदस्यों का दायित्व सामान्यतः सीमित होता है

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2. **Artificial Person (कृत्रिम व्यक्ति) :-**
Chief justice Marshall remarked that “a company is an artificial person”.
न्यायमूर्ति मार्शल के अनुसार - “कंपनी कृत्रिम व्यक्ति है”

- ✓ **Invisible (अदृश्य)**
- ✓ **Intangible (अमूर्त)**
- ✓ **Existing only in the eyes of law**
(अस्तित्व केवल कानून की नजर में)

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* **Company has no :-**

1. **Physical body** (शारिरीक रचना)
2. **Soul** (आत्मा)
3. **Conscience** (अन्तः चेतना)

* **If is not a fictitious person but it is a real person.**

यह एक जाली व्यक्ति नहीं है अपितु एक वास्तविक व्यक्ति है।



✓ **Company has same rights as a person.**
कंपनी के पास एक व्यक्ति के समान अधिकार हैं।

✓ **Company has same powers as a person.**
कंपनी के पास एक व्यक्ति के समान शक्तियां हैं।

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✓ **Company can acquire Property**

(कंपनी सम्पनी खरीद सकती है)

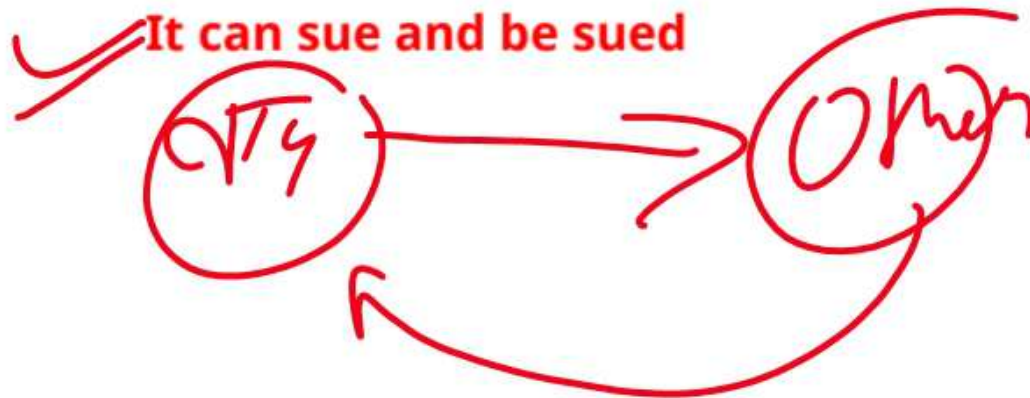
✓ **Company can dispose of Property**

(कंपनी सम्पति बेच सकती है)

✓ **It can enter into contract through its agent**

यह अपने एजेंट के माध्यम से संविदा कर सकता है

✓ **It can sue and be sued**



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But a Company can not :-

- **Take oath** (शपथ)
- **Nor be sent to jail** (जेल नहीं भेजा जा सकता)
- **Nor can it marry or divorce** (शादी नहीं कर सकती और न तलाक दे सकती है)

Artificial Person

कंपनी के मनुष्यों की तरह ही - उतने ही व्यावसायिक दायित्व तथा अधिकार हो सकते हैं जितने की एक प्राकृतिक व्यक्ति के हैं।

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3. Perpetual Succession (सतत उत्तराधिकार) :-

➤ Company is a legal entity with having perpetual Succession.

कंपनी सतत उत्तराधिकार वाली एक विधिक इकाई है।

It never dies.

It is created by law and can be dissolved only by law.

यह कानून द्वारा बनाया गया है और केवल कानून द्वारा विघटित किया जा सकता है।

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Points

Members may come & members may go out but company remains forever.

सदस्य आ सकते हैं और सदस्य बाहर जा सकते हैं लेकिन कंपनी हमेशा बनी रहती है।



Company's existence is not affected by the :-
कंपनी का अस्तित्व निम्न से प्रभावित नहीं होता है :-

- i. **Retirement of its members**
इसके सदस्यों की सेवानिवृत्ति
- ii. **death of its members**
इसके सदस्यों की मृत्यु
- iii. **Insolvency** / दिवालियापन

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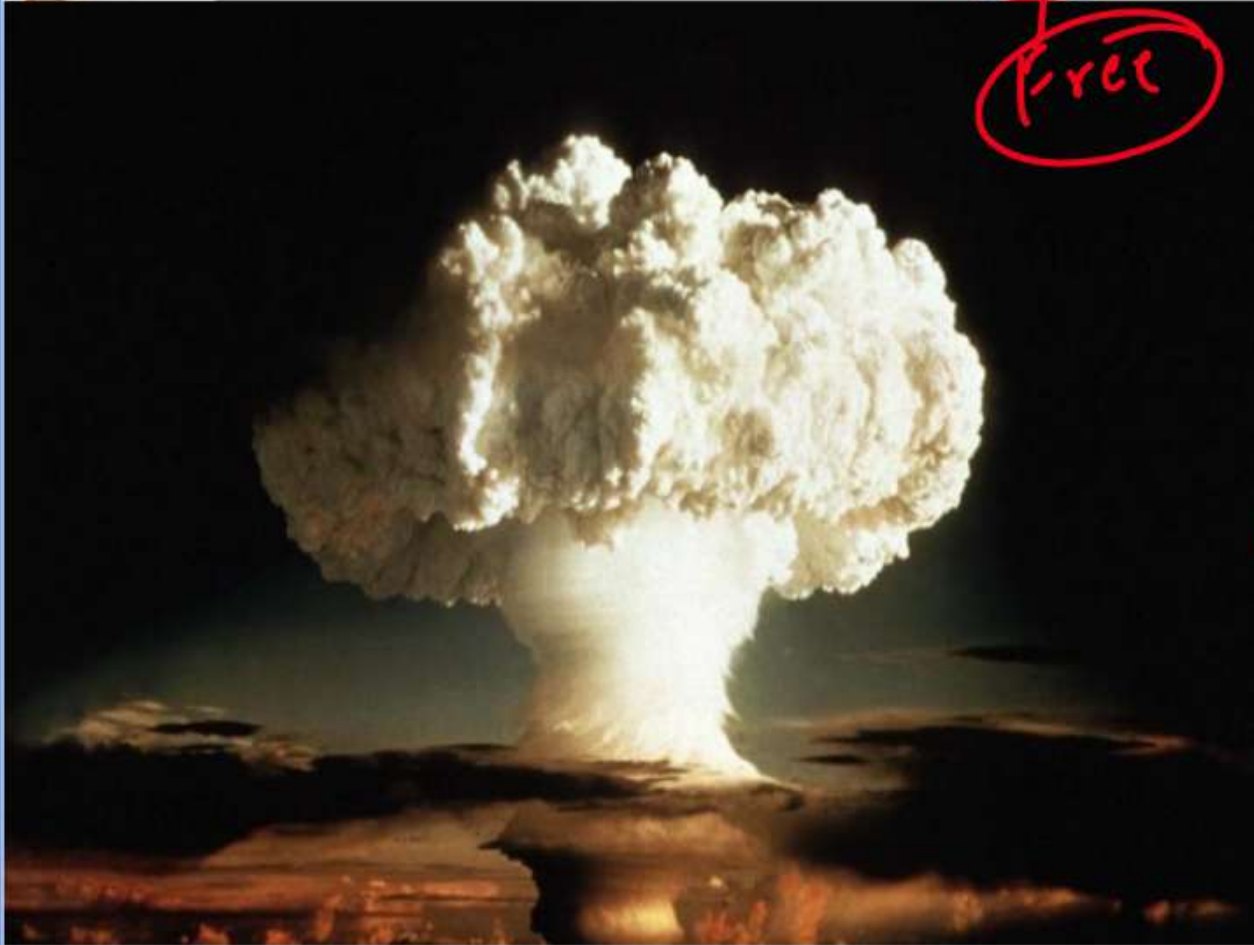


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1:30
Free

PrC



Gower (गोवर), L.C.B. :-

During the war all members of one Private company, while in general meeting, were killed by a hydrogen bomb. But the Company Survived.

युद्ध काल में एक निजी कंपनी के समस्त सदस्य बम विस्फोट में उस समय मारे गये जबकि कम्पनी की सामान्य सभा चल रही थी। फिर भी कम्पनी का अस्तित्व बना रहा।

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**Not even a hydrogen bomb
could destroy it.**

एक हाइड्रोजन बम भी कम्पनी के
अस्तित्व को समाप्त नहीं कर सका।

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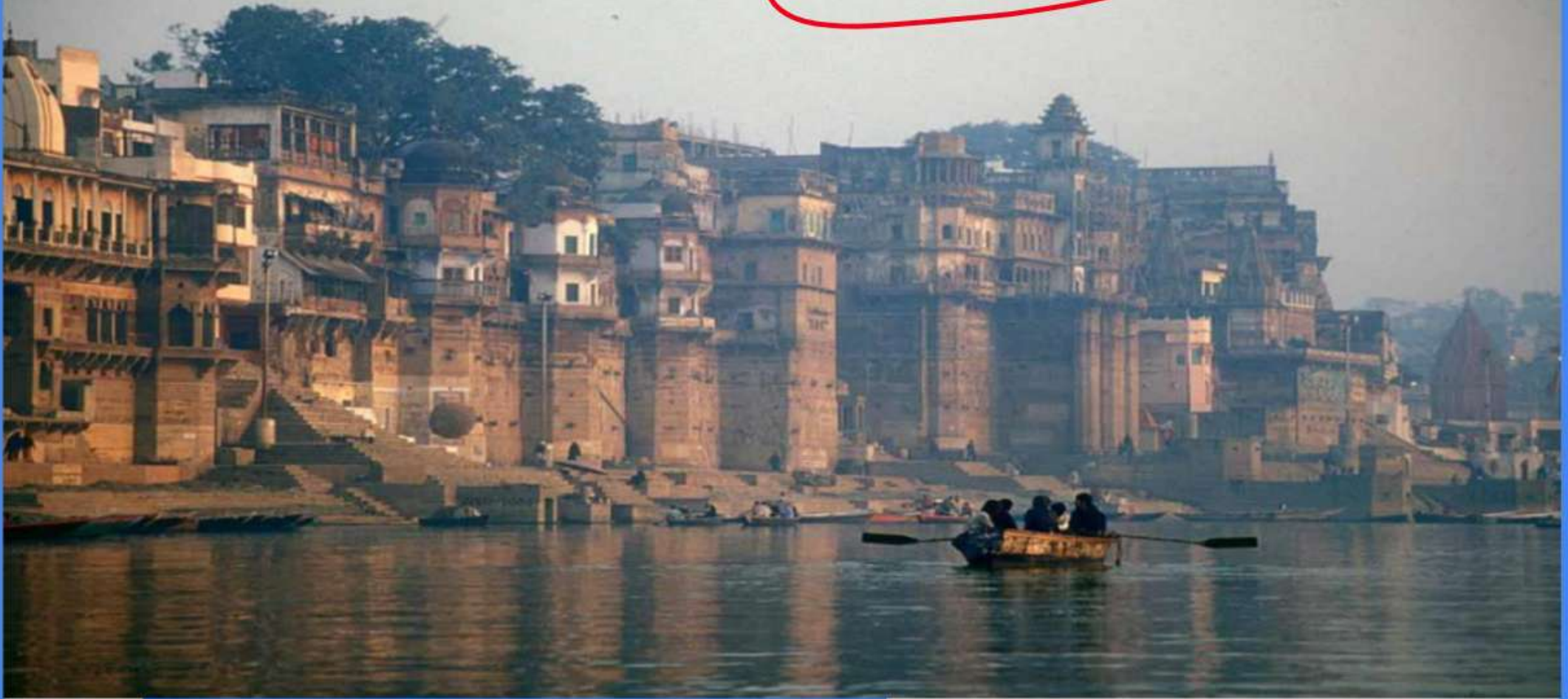


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* **Black Stone :-**



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“The change in membership of a company does not affect the continuing of a company just as the river Ganga or Yamuna is still the same as it was centuries before, although the parts which compose it are changing every instant.”

ब्लेकस्टोन ने कहा :- “यद्यपि नदी के निर्माण करने वाले तत्व प्रति क्षण बदलते रहते हैं किन्तु नदी के घाट या किनारे वहीं स्थिर रहते हैं।

ठीक उसी प्रकार कम्पनी के सदस्य भी परिवर्तित हो सकते हैं किन्तु कम्पनी के अस्तित्व पर कोई प्रभाव नहीं पड़ता है।”

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Case :- Mookerjee B. V/s SBI, AIR 1992 (cal.)

क्या कम्पनी के अस्तित्व को सरकार समाप्त कर सकती है?

NO

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कम्पनी के अस्तित्व को सरकार भी समाप्त नहीं कर सकती है।

4.

Company - Citizenship/Nationality/ Residence
कंपनी - नागरिकता/राष्ट्रीयता/निवास

A company is regarded as a legal person, it is not a citizen under the citizenship Act, 1955 or the Constitution of India.

एक कंपनी को एक कानूनी व्यक्ति माना जाता है, यह नागरिकता अधिनियम, 1955 या भारत के संविधान के तहत नागरिक नहीं है।

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Certain fundamental rights enshrined in the constitution of India for protection of persons e.g. Article 14 - Right to Equality are available to company.

व्यक्तियों की सुरक्षा के लिए भारत के संविधान में प्रतिष्ठापित कुछ मौलिक अधिकार उदा. अनुच्छेद 14 - कंपनी को समानता का अधिकार प्राप्त है।

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**Case :- State Trading Corporation of India Ltd.
V/s C.T.O. (AIR), 1963, S.C.**



The Supreme court held that STC though a legal person, was not a citizen, therefore a company does not have the right of citizenship.

सर्वोच्च न्यायालय ने माना कि STC एक विधिक व्यक्ति होने के बावजूद नागरिक नहीं है, इसलिए एक कंपनी के पास नागरिकता का अधिकार नहीं है।

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list

1. **Separate Legal entity**
2. **Limited liability**
सीमित दायित्व
3. **Separate Property**
अलग संपत्ति
4. **Perpetual Succession**
सतत उत्तराधिकार
5. **Common Seal**
आम मुहर

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6. Capacity to sue & be sued ✓

7. An Artificial Person

एक कृत्रिम व्यक्ति

8. Voluntary Association for Profit

लाभ के लिए स्वैच्छिक संघ

9. Transferability of shares

शेयरों की हस्तांतरणीयता

Call
Put

10. Separate Management

अलग प्रबंधन

11. Contractual Rights - Right to enter into contracts

संविदात्मक अधिकार - संविदा करने का अधिकार

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Bihar

121. Which of the following is not the characteristic of a Public Company? /. निम्नलिखित में से कौन सा सार्वजनिक कंपनी की विशेषता नहीं है?

- (A) It has a separate legal entity/ इसकी एक अलग विधिक इकाई है
- (B) It has a perpetual succession / इसका एक सतत उत्तराधिकार है
- (C) It has a common seal and separate property / इसकी एक आम मुहर और अलग संपत्ति है
- (D) Its shares are non-transferable / इसके अंश गैर-अंतरणीय हैं

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Company



2 Document

MOA and AOA



Memorandum of Association

important

It is the charter (document) and a constitution of company.

दस्तावेज

संविधान

Sec. 2(56) - "Memorandum" (ज्ञापन) - defined

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Sec. 4(6) :- MOA should be in any one of the forms specified in tables A,B,C,D or E of Sh-I.

(i) The Form in Table A :- is applicable - Companies limited by share.

(ii) The form in Table B :- is applicable - Companies limited by guarantee not having a share capital.

(iii) The Form in Table C :- applicable - Companies limited by guarantee having a share capital.

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- (iv) The Form in Table D :- Unlimited Companies not having a share capital.
- (v) The Form in Table E :- Unlimited Companies having a share capital.

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Sec. 4(1) = MOA

- ✓ (a) Name :- Name of the Company stated in MOA.
- ① Public Ltd Company :- last word in companies name - "Limited".
- ② Pvt Ltd Company :- last word in Companies name - "Pvt Ltd".

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Section 8 Company



For charitable purpose

4

No need to add the word Ltd (or) Pvt Ltd as the last word in Companies name.

कंपनियों के नाम के अंतिम शब्द के रूप में लिमिटेड या प्राइवेट लिमिटेड शब्द जोड़ने की आवश्यकता नहीं है।

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(b)

State (राज्य) :- MOA shall state

The name of state in which registered office of the Company is situated.

राज्य का नाम जिसमें कंपनी का पंजीकृत कार्यालय स्थित है।

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~~(c)~~ **Object (उद्देश्य) :-** MOA shall State the object for which Company is proposed to be incorporated.

~~(d)~~ **Liability of Companies Member's**

(i) Limited or

सीमित

(ii) unlimited

असीमित

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~~(e)~~ If Company having a share capital (अंश पूंजी)



the amount of share capital with which the company is to be registered.

शयर पूंजी की राशि जिसके साथ कंपनी को पंजीकृत किया जाना है।

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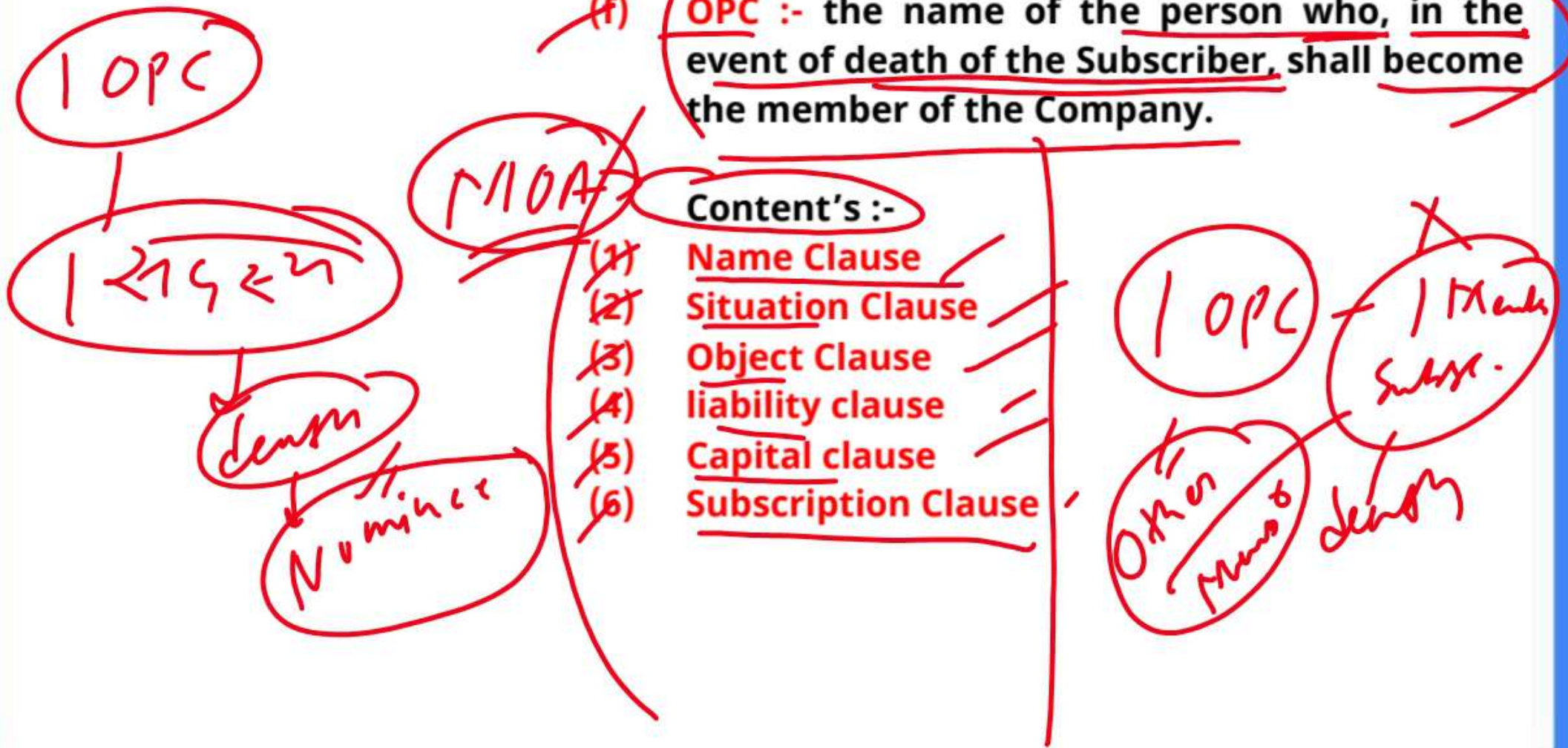


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V.V. Imp!

Name Clause :-

- It is the 1st Clause of MOA
- It States the name by which a company is to be known.

यह उस नाम को बताता है जिससे एक कंपनी जानी जाती है।

- Name shall not be identical with or resemble too nearly to the name of an existing Company.

नाम किसी विद्यमान कंपनी के नाम के समान या बहुत अधिक समान नहीं होना चाहिए।

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* **Use of name by the company shall not constitute an offence under any law.**

कंपनी द्वारा नाम का उपयोग किसी भी कानून के तहत अपराध नहीं होगा।

* **Name shall not be undesirable in the opinion of central govt.**

केंद्र सरकार की राय में नाम अवांछनीय नहीं होगा।

* **Name & Address of Company**

कंपनी का नाम और पता



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✓ ✓
Must be painted or displayed outside every office or place of business carried on

प्रत्येक कार्यालय या व्यवसाय के स्थान के बाहर चित्रित या प्रदर्शित किया जाना चाहिए



In English and in local language

(स्थानीय भाषा)



OPC :- the words "One Person Company" shall be mentioned in brackets below the name of such Company.

शब्द "वन पर्सन कंपनी" का उल्लेख ऐसी कंपनी के नाम के नीचे कोष्ठक में किया जाएगा।

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Indication



The name shall be considered undesirable, if -



1. It attracts the Provisions of section 3 of Emblems and names (prevention and improper use) Act, 1950.



2. It includes any word or words which are offensive.



3. Proposed name is identical with or too nearly resemble the name of LLP.

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2. Situation clause :-

✓ "Name of the state" in which registered office of the Company is situated.

"राज्य का नाम" जिसमें कंपनी का पंजीकृत कार्यालय स्थित है।

✓ Every Company shall paint or affix its name & address of its registered office on outside of every office or place in which its business is carried on.

प्रत्येक कंपनी अपने पंजीकृत कार्यालय के नाम और पते को हर उस कार्यालय या स्थान के बाहर पेंट या चिपका देगी जहां उसका व्यवसाय किया जाता है।

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- Every company shall have its name printed on
- ✓ hundies,
 - ✓ promissory notes
 - ✓ bills of exchange and
 - ✓ other document.

~~अन्य दस्तावेज~~

हर कंपनी का नाम हुंडी, प्रॉमिसरी नोट, एक्सचेंज के बिल और अन्य दस्तावेजों पर छपा होगा।

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3. Object Clause :-

- It determines the purpose of company
यह कंपनी के उद्देश्य को निर्धारित करता है
- It determines the capacity of company
यह कंपनी की क्षमता निर्धारित करता है

➤ This clause helps in knowing that the permitted range of activities.

➤ The object shall not be :-

- (i) against the law
- (ii) against the provisions of companies Act.
- (iii) Against Public policy

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beyond
the
limits



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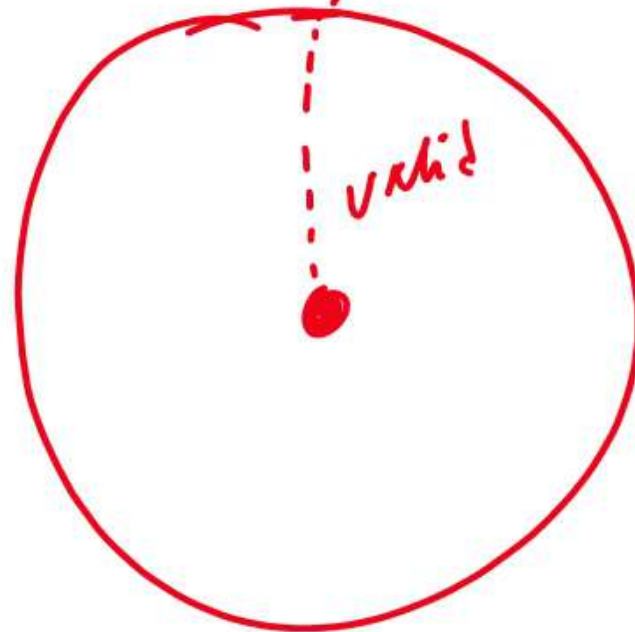


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- **The must be** certain & unambiguous.
- They must be complete & Comprehensive.

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Incorporation

4. Liability Clause :-

In corporation of Company can be by -

2 Mode

1. Limited by share

No member can be called upon to pay more than what remains unpaid on the share held by him.

2. Limited by Guarantee

In the event of liquidation of company

Amount which each member should undertake to contribute to the assets of the company

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5. Capital Clause :-

Authorized Capital of Company shall be mentioned :- in 5th clause of MOA.

6. Subscription Clause

It states that :-

➤ Each subscriber must take at least 1 share.

➤ Each subscriber must write opposite his name the number of shares which he agrees to take.

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Plans

Alteration of MOA

Alteration of Name Clause

1. Meaning of name clause -

2. Application to Registrar :- for reservation of name.

3. Reservation of proposed name for 60 days.

4. Pass S.R. in G.M. :- to change the name.

5. Approval of C.G. in Form No. INC-24

6. Filing document to the Registrar

:- copy of S.R.

:- Approval of C.G.

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7. Entry in the Register of company by Registrar.

8. Registrar issue fresh certificate of incorporation with the new name in Form No. INC-25.

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* **Listed Company** :- A time period of at least 1 years should have elapsed from the last name change.

* New name + old name shall be disclosed through the web sites.

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Section 16 : Rectification of name of company.

If name is identical to or **too nearly resembles** the name of an existing company.

the C.G. may **direct** company to change its name.

Company shall change its name **within a period of 3 months** from the issue of above direction.

Y Company

Waa Company

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Alteration of Registered Office Clause

- (a) Change within the local limits of same town
✓ BOD - (hold B.M. & pass B.R.)
✓ INC-22 - (is filled to Roc within 30 days of Passing B. R.)

- (b) Change from one city to another within the same State-

If the registered office is to be shifted from one city, town or village to another city, town or village within the same State,

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S.R. + G.M.

✓ a special resolution has to be passed in the general meeting of the company.



A notice of the change is required to be given to the Registrar in Form no INC 22, within 15 days of such change along with Form no MGT 14, towards special resolution passed

(Sec. 117).

Same

b

- ✓ BOD - (hold B.M. & pass B.R.)
- ✓ SR - (will be Passed in G.M.)
- ✓ INC-22 and MGT-14 - (filled to the ROC within 15 days of passing S.R.)

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(c) Change within the same State from the jurisdiction of one Registrar of Companies to the jurisdiction of another Registrar of Companies.

- ✓ BOD
- ✓ Notice
- ✓ Meeting- SR
- ✓ MGT- 14

An application seeking confirmation from the Regional Director for shifting the registered office within the same State from the jurisdiction of one Registrar of Companies to the Jurisdiction of another Registrar of

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companies, shall be filed by the company with the regional director **in Form no. INC. 23** along with the fee.

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Change of Registered office from state to another the change of registered office from one State to another State involves alteration of memorandum, and the change can be effected by a special resolution of the company which must be confirmed by the Central Government on an application made to it.

**BOD
Notice
Meeting- SR**

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A company shall, in relation to any alteration of its memorandum involving change of registered office from one State to another, file with the Registrar the special resolution passed by it in MGT 14.

An application for the purpose of seeking approval for alteration of memorandum with regard to the change of place of the registered office from one State Government or Union territory to another, shall be filed with the Central Government in Form No. INC.23 along with the fee.

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The company shall at least 14 days before the date of hearing-

- Advertise the application in the Form No.INC.26 in a vernacular newspaper in the principal vernacular language in the district in which the registered office of the company is situated, and at least once in English language in an English newspaper circulating in that district;

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Object \Rightarrow Alteration

1. A Company can change its object by passing S.R. in G.M. / in case of listed co. the S.R. passed through Postal ballot.
2. Publication of S.R. which changes its object in newspaper.
3. Publication on in English & one in vernacular language.
4. while advertising a postal ballot notice dispatch to the in holders and placed on website of the company.

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5. Approval of RBI and SEBI

6. filling documents to the Registrar.

- Copy of S.R.
- Copy of Notice
- Copy of Approval of RBI & SEBI

7. Registrar shall register the Alteration of obj. clause.

8. Registrar shall certify the Registration of Alternation of object clause within 30 days. From the date of filling of S.R.

Procedure
↓
AH-in
object
Clause

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The certified copy of the order of the Central Government, approving the alteration of the memorandum for transfer of registered office of the company from one State to another, shall be filed in Form No. INC.28 along with the fee as with the Registrar of the State within 30 days from the date of receipt of certified copy of the order.

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Alteration of Objects Clause

Company may, by a special resolution and after complying with the procedure specified in this section, alter the provisions of its memorandum. It means that a company can change its objects by passing a special resolution. In case of a listed company, the special resolution for alteration in the objects clause of the Memorandum of Association needs to be passed through Postal Ballot.

- BOD
- Notice
- Meeting- SR

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➤ **MGT 14.**

Registrar shall register any alteration of the memorandum with respect to the objects of the company and certify the registration within a period of 30 days from the date of filing of the special resolution.

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Alteration of Liability Clause

A company may, by a special resolution and after complying with the procedure specified in this section, alter the provisions of its memorandum. It means that a company can change the liability clause of its memorandum of association by passing a special resolution.

- BOD
- Notice
- Meeting- SR
- MGT 14.

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Alteration of Capital Clause

A limited company having a share capital may make the following types of alterations in its memorandum by an ordinary resolution, if so authorized by its articles, at its general meeting to-

- ✓ Increase its authorized share capital by such amount as it thinks expedient;
- ✓ consolidate and divide all or any of its share capital into shares of a larger amount than its existing shares:

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- ✓ convert all or any of its fully paid-up shares into stock, and reconvert that stock into fully paid-up shares of any denomination;
- ✓ sub-divide its shares) or any of them, into shares of smaller amount than is fixed by the memorandum, so, however, that the proportion between the amount paid and unpaid shall remain the same.
- ✓ cancel shares which, at the date of the passing of the resolution in that behalf, have not been taken or agreed to be taken by any person, and

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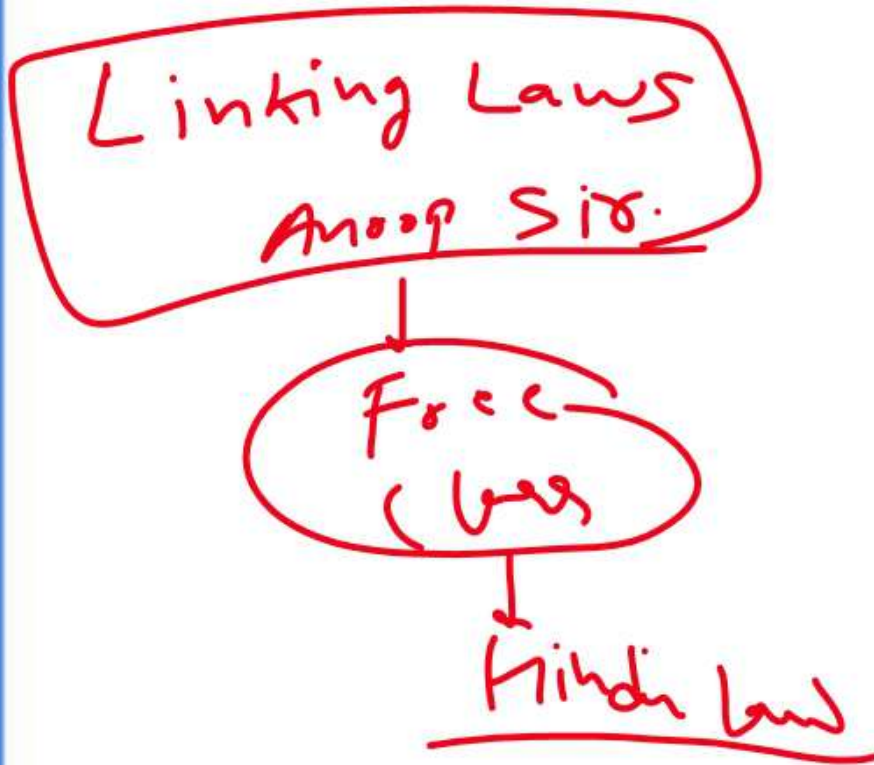


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diminish the amount of its share capital by the amount of the shares so cancelled.

All the above alterations do not require the confirmation by the Tribunal except that alteration relating to consolidation) These alterations are, however, required to be notified and a copy of the resolution should be filed with the Registrar within 30 days of the passing of the resolution along with an altered memorandum. it must be noted that cancellation of shares does not amount to reduction of share capital.

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RJS (RANK-46)	RJS (RANK-56)	RJS (RANK-63)	RJS (RANK-66)	RJS (RANK-74)	RJS (RANK-75)	RJS (RANK-78)	RJS (RANK-88)	RJS (RANK-97)	RJS (RANK-105)	RJS (RANK-112)	RJS (RANK-119)	MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22
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MPCJ	MPCJ	MPCJ	MPCJ	MPCJ	MPCJ	BJS	HCS(JB) RANK-5	HCS(JB) RANK-6	HCS(JB) RANK-16	HCS(JB) RANK-18	HCS(JB) RANK-36	MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22
Akansha Gupta	Utkarsh Jain	Trapti Jain	Kundan Kachhiwaha	Sanjeet Chourasia	Amber Shrivastava	Kumari Preeti	Paras Chaudhary	Jodinder Jangra	Arunima Chauhan	Ritiz Arora	Jasmeet Kaur	Ratnapriya Shrivastava	Sarfaraz Khan	Swapnil Verma	Pravesh Kabra
GJS (RANK-1)	GJS (RANK-7)	GJS (RANK-8)	GJS (RANK-11)	GJS (RANK-12)	GJS (RANK-13)	GJS (RANK-16)	GJS (RANK-37)	GJS (RANK-54)	HCS(JB) RANK-43	HCS(JB) RANK-50	HCS(JB) RANK-73	MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22
Aditya Rajeshbhai Gor	Meghaben	Prahlad kumar	Mayuri Jain	Pankti Soni	Kirti Sharma	Shipra Soyat	Divyakant Pandya	Kaushar Banu	Prince Garg	Jaspreet Kaur	Saru Goyal	Shweta Arya	Avani Vyas	Shweta Yadav	
MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22	MPCJ 2021-22
Shivangni Bhatt	Satinder Pannu	Prachi Gunwan	Swati Bhargava	Drutika Upadhyay	Kajal Nayak	Yinay Sharma	Abhay Pratap Singh	Manvendra Singh	Preeti Rathore	Priya Chauhan	Aika Soni	Vaishali Chauhan	Hiteshi Sharma	Vikas Thakur	

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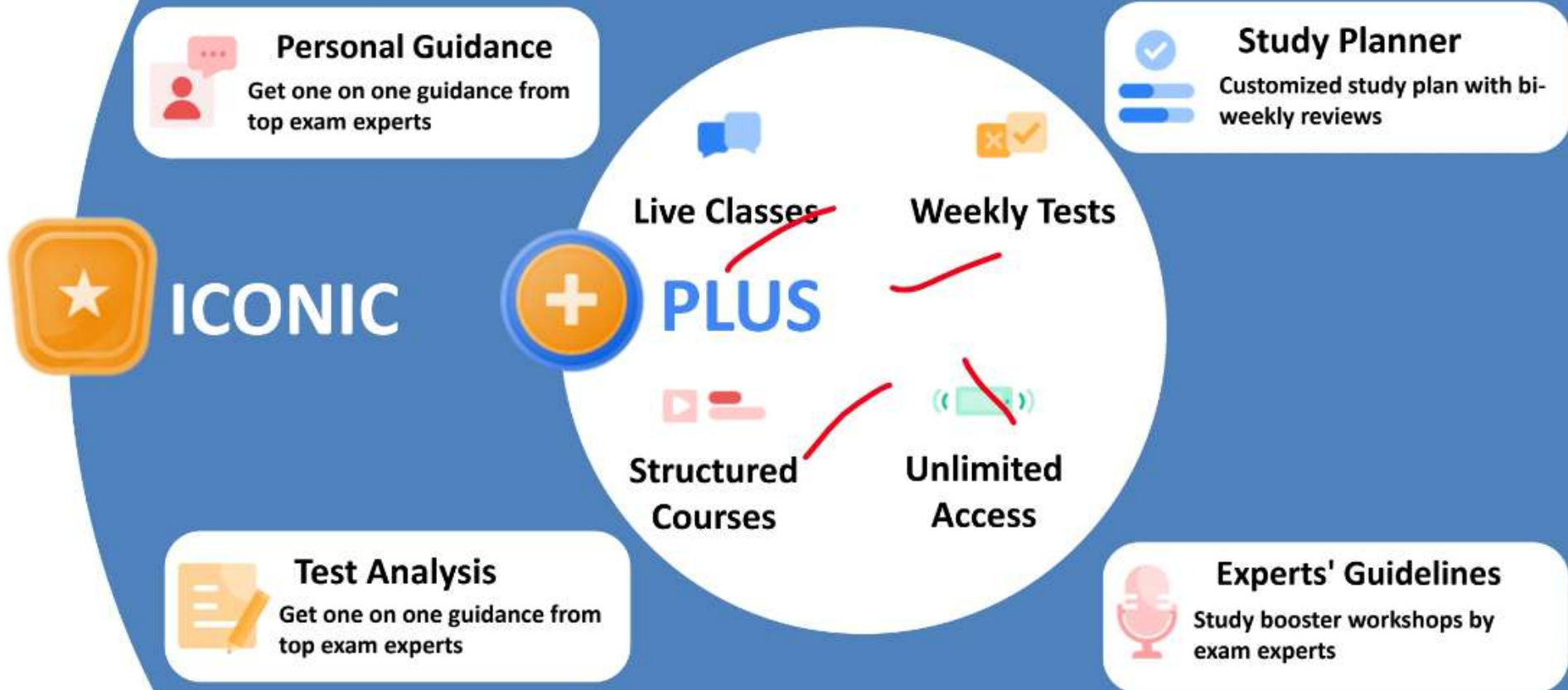
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