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**TABLE SHOWING VARIOUS SECTIONS UNDER
COMPANIES ACT, 2013 UNDER WHICH POWERS CAN BE
EXERCISED ON A PETITION BEING MADE TO IT**

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Powers of NCLT	Section under Companies Act, 2013	Rule under NCLT Rules, 2013
In case a company has got incorporated by furnishing any false or incorrect information or by suppression of any material fact or information, NCLT can pass such orders as it thinks fit.	7(7)	
Any assets remaining on wind-up of Section 8 company may be transferred to another company having similar objects with the approval of Tribunal or transferred to the Rehabilitation and Insolvency Fund u/s 269.	8(9)	
Conversion of a public company into a private company requires the approval of NCLT.	14(1)	
Not less than ten percent of the issued shares of a class, who did not consent to a variation, may apply to the Tribunal for cancelling the variation.	48(2)	
NCLT can order redemption of preference shares by persons who have not consented to the issue of further redeemable preference shares.	55(3)	
The transferee of shares in a private company may appeal to the NCLT within one month from the receipt of notice of refusal or within sixty days from the date on which the instrument of transfer or intimation of transmission was delivered to the company.	58(3)	
The transferee in a public company within sixty days of refusal to register transfer or transmission, or within ninety days of delivery of instrument of transfer or of intimation of transmission may apply to the NCLT for relief.	58(4)	
To dismiss appeal against refusal to register transfer and transmission of shares or to direct rectification of register and	58(5)	

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payment of damages by company.		
To order rectification of register of members on transfer	59(2)	
Consolidation and division of certain type requires approval of Tribunal.	Proviso under 61(1)(b)	
Where the terms of conversion ordered by the government are not acceptable to the company, the latter may appeal to the Tribunal for making such order as it may deem fit.	Proviso under 62(4)	
Confirmation by NCLT for reduction of capital in a company limited by shares or guarantee and having share capital.	66(1)	
Where the assets of a company are insufficient to discharge the debentures, the debenture trustee may apply to the NCLT.	71(9)	
NCLT to order redemption of debentures forthwith by payment of principal and interest due thereon.	71(10)	
To direct the company to make repayment of the matured deposits or for any loss or damage incurred by him as a result of non-payment.	73(4)	
On an application by the company, NCLT may allow further time to the company to repay the deposit.	74(2)	
On the application of a member, the Tribunal may call or direct the calling of an annual general meeting if default is made in holding the annual general meeting.	97(1)	
In case it is impracticable to call a meeting, the Tribunal may either suo moto, or on application of a director or member of the company who is entitled to vote at the meeting, order to call meeting i.e. extra ordinary general meetings and give such directions as may be necessary.	98(1)	
The Tribunal may direct that inspection of minute book of general meeting be given to a member.	119(4)	
The Tribunal may allow a company to recast its financial statements.	130(1)	
With the approval of NCLT, company may prepare revised financial statement for any of the three preceding financial years.	131(1)	
The Tribunal may, on the application of the company or any aggrieved person, order that copy of representation by the Auditor need not be sent to members nor read at the meeting.	Second proviso of 140(4)(iii)(b)	
Where NCLT is satisfied that the Auditor has acted in a fraudulent manner, it may order that the Auditor may be changed	140(5)	
Regarding removal of director, NCLT may order that representation from the director need not be sent to the members and nor read at the meeting.	169(4)(b) proviso	
The Tribunal may ask the Central Government to investigate into the affairs of the company in other cases on application where the business of the company is being conducted with intent to defraud creditors, persons concerned in the formation of the company or management of its affairs have been guilty of fraud, misfeasance or other misconduct and members have not been given all the information with respect to the affairs	213(b)	

of the Company.		
NCLT may pass suitable orders for the protection of the employees in respect of investigation under section 210,212,213 or 219.	218(1)	
To order freezing of assets of company on inquiry and investigation in case of complaint made by its members, for a period of three years.	221(1)	
To impose restrictions in connection with securities.	222(1)	
NCLT may, on application of Central Government, pass order for disgorgement of assets and other matters.	224(5)	
With reference to compromise or arrangements between the company and its creditors and members, Tribunal may order a meeting of creditors or class of creditors or members of the company.	230(1)	
To enforce compromise and arrangement as sanctioned under Section 230.	231(1)	
To sanction the scheme of merger and amalgamation.	232(1)	
If the Central Government is of the opinion that the scheme filed under section 233 is not in public interest, it may file an application before the Tribunal within Sixty days of receipt of the scheme under sub section (2).	233(5)	
To entertain the application made by the dissenting shareholders of the scheme approved by the majority.	235(2)	
Any aggrieved person in respect of compensation made by the prescribed authority may make appeal to the Tribunal within 30 days.	237(4)	
Appeal to the tribunal against the refusal of the Registrar to register the circular.	238(2)	
Complaints of oppression and mismanagement will be heard by the Tribunal.	241(1)	
Where the company's affairs have been or are being conducted in a manner prejudicial or oppressive to any member or members or prejudicial to public interest or in a manner prejudicial to the interests of the company, Tribunal may pass necessary orders.	242(1)(a)	
To make an order where winding up the company would unfairly prejudice such member or members, but that otherwise the facts would justify the making of a winding up order on the ground that it was just and equitable that the Company should be wound up.	242(1)(b)	
Tribunal may pass orders for regulation of conduct of affairs of the company in future.	242(2)(a)	
To make an order for purchase of shares or interests of any members of the company by other members thereof or by the company.	242(2)(b)	
To make an order for reduction of share capital consequent to purchase of shares of the company in the manner envisaged under Section 242(2)(b)	242(2)(c)	
The Tribunal can restrict on the transfer or allotment of the	242(2)(d)	

shares of the company.		
To terminate, set aside or modify any agreement, however arrived at, between the company and the managing director, any other director or manager, upon such terms and conditions as may, in the opinion of the NCLT, be just and equitable in the circumstances of the case.	242(2)(e)	
To terminate, set aside or modify any agreement between the company and any person other than the managing director, any other director or manager referred to in Clause (e) of subsection (2) of Section 242. Provided that no such agreement shall be terminated, set aside or modified except after due notice and after obtaining the consent of the party concerned.	242(2)(f)	
To set aside any transfer, delivery of goods, payment, execution or other act relating to property made or done by or against the company within 3 months before the date of the application made pursuant to section 241, which would, if made or done by or against an individual, be deemed in his insolvency to be a fraudulent preference.	242(2)(g)	
Removal of the managing director, manager or any of the directors of the company.	242(2)(h)	
Recovery of undue gains made by any managing director, manager or director during the period of his appointment as such and the manner of utilization of the recovery including transfer to Investor Education and Protection Fund or repayment to identifiable victims.	242(2)(i)	
Manner in which the managing director or manager of the company may be appointed subsequent to an order removing the existing managing director or manager of the company made.	242(2)(j)	
Appointment of such number of persons as directors, who may be required by the NCLT to report to be NCLT on such matters as the NCLT may direct.	242(2)(k)	
Imposition of costs as may be deemed fit by the NCLT	242(2)(l)	
Any other matter for which, in the opinion of the NCLT, it is just and equitable that provision should be made	242(2)(m)	
In case of termination or modification of certain agreements by the Company with managing directors or other directors, leave be granted by the NCLT.	243(1)	
To pass specified order in receipt of application by members or depositors or any class of them in case if they are of the opinion that the management or conduct of the affairs of the company is being conducted in a manner prejudicial to the interests of the company or its members or depositors.	245(1)	
Tribunal may order restoration of the name of a company to the Register of companies in case of an appeal made to the tribunal within three years of the order of the Registrar.	252(1)	
To entertain the application made by the secured creditors of a company representing 50 per cent or more of its outstanding amount of debt and the company has failed to pay the debt	253(1)	

within a period of 30 days of the service of the notice of demand.		
NCLT may appoint an interim administrator within seven days of receipt of application under Section 256.	254(1),(3)	
NCLT may appoint interim administrator to be the company administrator in case of an application made by the creditors that the company can be revived.	258	
NCLT can delineate or direct the functions and duties of the Company administrator.	260	
To sanction the scheme of revival and rehabilitation of sick industrial companies as prepared in Section 261, Companies Act, 2013.	262	
To implement the scheme of revival and rehabilitation of sick industrial companies.	264	
Where the scheme is not approved by the creditors, NCLT may issue orders for the winding up of the sick company.	265	
To assess damages against the delinquent Directors in the course of the scrutiny or implementation of any scheme or proposal and pass suitable orders.	266	
To punish in case of making a false or incorrect evidence to the NCLT or the NCLAT.	267	
To pass order of winding up of the company.	270	
On receipt of petition for winding up, NCLT may either dismiss the petition with or without costs; make any interim order as it thinks fit; appoint a provisional liquidator of the company till the making of a winding up order, make an order for the winding up of the company with or without costs; or any other order as the NCLT thinks fit.	273	
NCLT may ask the company to file its objections, if any, along with a statement of its affairs within 30 days of the order in the manner prescribed.	274	
NCLT shall appoint Official Liquidator from the panel maintained by the Central Government, as the Company Liquidator.	275	
It can remove the Provisional Liquidator or the Company Liquidator as the Liquidator of the company on specified grounds.	276(1)	
Where loss or damage is caused due to fraud or misfeasance or where liquidator fails to exercise due care or diligence in the performance of its powers, NCLT can pass orders to recover loss or damage from the liquidator.	276(3)	
On application of company liquidator, NCLT to constitute winding up committee.	277(4)	
To put stay on suits or other legal proceedings on winding up order.	279(1)	
To give directions on report of Company Liquidator	282(1)	
During liquidation, the custody of companies property passes to the NCLT.	283(1)	

The list of contributories and application of assets in all cases where rectification is required will be settled by the Tribunal.	285(1)	
To constitute an advisory committee to advise the Company Liquidator and to report to the NCLT.	287(1)	
To stay the proceedings of winding up on application of promoter, shareholders or creditors or any other interested person.	289(1)	
To sanction the appointment of professionals for assistance to Company Liquidator in the performance of his functions and duties.	291(1)	
For better accountability in company's winding up, NCLT to order the audit of accounts of Company Liquidator.	294(1)	
To pass an order requiring any contributory for the time being on the list of contributories to pay any money due to the company, from him or from the estate of the person whom he represents, exclusive of any money payable by him or the estate by virtue of any call.	295(1)	
To make calls on the contributories on the list for payment of money to satisfy the debts and liabilities of the company, and the costs, charges and expenses of winding up, and for the adjustment of the rights of the contributories among themselves.	296	
To adjust the rights of the contributories among themselves and distribute any surplus among the persons entitled thereto.	297	
To make an order for the payment out of the assets, of the costs, charges and expenses incurred in the winding up	298	
To summon persons suspected of having property of company in case the person is capable of giving information concerning the promotion, formation, trade, dealings, property, books or papers, of affairs of the company.	299	
To order examination of promoters, directors in case the Company Liquidator is of the opinion that a fraud has been committed by any person in the promotion, formation, business or conduct of affairs of the company since its formation.	300	
In case a person is having property, accounts or papers of the company in his possession and is trying to leave India or abscond NCLT to order detention and arrest of such person.	301	
NCLT, after considering the report of the company liquidator , shall pass order dissolving the company.	302	
Where in a voluntary winding-up the company liquidator reports that a fraud has been committed, NCLT may pass such order and give such directions as are necessary.	317	
When the affairs of the company have been completely wound up, NCLT can pass order for dissolution of the company in a voluntary winding up.	318(5)	
NCLT determines the questions arising out of winding up of the company where an application has been made for determining any question arising in the course of winding up	322(3)	

of the Company, or exercise the staying of proceedings or any other matter with respect to the enforcing of the calls.		
To grant permission to enforce any attachment, distress or execution after the commencement of winding up.	335(1)	
To direct liability for fraudulent conduct of business to any person on application of Company Liquidator.	339(1)	
To assess damages against delinquent directors, manager, liquidator or officer of the Company for misapplication, retainer, misfeasance or breach of trust.	340	
Liability of partners or directors of the company under Section 339, Companies Act, 2013 relating to fraudulent conduct of business or under section 340, Companies Act, 2013 relating to misfeasance or breach of trust can be extended by the NCLT.	341	
The delinquent officers and members of the Company who are found to be guilty of any offence in relation to the company are liable to be prosecuted by the NCLT.	342	
To ascertain the wishes of creditors or contributors by calling their meetings in all matters relating to winding up of the company.	354	
To declare dissolution of company void on an application made by the Company Liquidator of the Company or by any other person at any time within 2 years from the date of dissolution.	356	
NCLT can rectify any mistake in any order passed by it, within 2 years from the date of order.	420	
General Power to amend any defect or error in any proceeding before NCLT and to make all necessary amendments for the purpose of determining the real question or issue raised by or depending on such proceeding.		141
The NCLT shall have the powers of a Civil Court under the Code of Civil Procedure, 1908. In this regard, the NCLT can pass order in the following circumstances: (a) Summoning and enforcing the attendance of any person and examining him on oath; (b) requiring the discovery and production of documents; (c) receiving evidence on affidavits; (d) subject to the provisions of sections 123 and 124 of the Indian Evidence Act 1872, requisitioning any public record or document or copy of such record or document from any office; (e) issuing commissions for the examination of witnesses or documents (f) dismissing a representation for default or deciding it ex parte; (g) setting aside any order of dismissal of any representation for default or any order passed by it ex parte; and (h) any other matter which may be prescribed by the Central Government.	424(2)	29(2)

Matters prescribed by the Central Government for the purpose, are as under:- (1) Granting stay or order status quo (2) Ordering injunction or cease and desist; (3) Appointing commissioner(s) for the purpose under the Companies Act, 2013 (4) Exercising limited power to review its decision to the extent of correcting clerical or arithmetical mistakes or any accidental slip or omission as provided in rule 140 of NCLT Rules, 2013; (5) Passing such order or orders as it may deem fit and proper in the interest of justice.		
Power of Bench of NCLT to call for further information or evidence.		19
Where the applicant appears but respondent does not appear at the hearing, NCLT has the Power to hear and decide a petition or application ex parte.		28
NCLT to dispose of application or petition expeditiously within 3 months from the date of presentation before it. Extension period of 90 days may be granted for disposal.	422	
NCLT has the power to regulate its own procedure for the purpose of discharging its functions under the Companies Act, 2013.	424(1)	32
Power to pass order after giving the parties to any proceeding before it a reasonable opportunity of being heard, thereby observing the principles of natural justice. The NCLT shall send a copy of every order passed to the parties concerned.	424	30
Power of NCLT to pass orders and directions to prevent abuse of its process or to secure the ends of justice.		54
Power of NCLT to make orders necessary for meeting the ends of justice or to prevent abuse of process of NCLT is absolute and inherent and nothing in the NCLT Rules, 2013 shall limit such power of the NCLT.		62,139
NCLT has the powers to issue commission for examination of witnesses or documents.	424(2)(e)	35
Power to punish for contempt The NCLT shall have the same jurisdiction, powers and authority in respect of contempt of themselves as a High Court has and may exercise, for the purpose, the powers under the provisions of the Contempt of Courts Act, 1971. Powers of High Court under Contempt of Courts Act, 1971 The High Court has and exercise the same jurisdiction, powers and authority, in accordance with the same procedure and practice, in respect of contempt of courts subordinate to it as it has and exercises in respect of contempt of itself. Provided that no High Court shall take cognizance of a contempt alleged to have been committed in respect of a court	425	31

<p>subordinate to it where such contempt is an offence punishable under the Indian Penal Code (45 of 1860)</p> <p>These powers of the NCLT shall have the effect subject to the modification prescribed in Section 425 of the Companies Act, 2013, namely as under:-</p> <p>(a) The reference to a High Court shall be construed as including a reference to the NCLT and the NCALT; and</p> <p>(b) The reference to Advocate-General in section 15 of the Contempt of Courts Act, 1971 shall be construed as a reference to such Law Officers as the Central Government may, specify in this behalf.</p>		
NCLT has the power to delegate powers to any officer or employee or any person to inquire in to the matter connected with any proceeding and report to it.	426	
NCLT can seek assistance of Chief Metropolitan Magistrate, Chief Judicial Magistrate, or District Collector to take possession of property, books of accounts or other documents on behalf of the NCLT.	429	
NCLT can compound certain offences in certain cases before the investigation has been initiated or pending.	441	
To impose such conditions or restrictions as it thinks fit subject to the payment of fee, while according approval, sanction, consent, confirmation etc. giving directions or granting exemptions.	426	
Offences punishable with fine only, either before or after the institution of any prosecution, can be compounded by NCLT.	441	106
Power to accord approval, sanction, consent, confirmation or recognition to, or in relation to, any matter.	459	
Power to determine procedure in circumstances where situation not provided for under NCLT Rules, 2013		3
Power to direct parties concerned to file an affidavit of compliance of its order or such other documents in the manner specified in the order.		
Power with every Bench of NCLT to dispense with any of the requirements of NCLT Rules, 2013		144