

## Chapter 6

**THE COMPANIES ACT, 2013**

After studying this chapter, you would be able to understand-

- f Company form of Business Organisation and its features
- f Corporate veil theory
- f Classes of companies under the Companies Act
- f Registration of companies
- f Memorandum of Association and Articles of Association

**INTRODUCTION**

- ¾ contains 470 sections and seven schedules
- ¾ divided into 29 chapters

Some Basics	
Application of Act [Sec. 1]	The provisions of this Act shall apply to: <ul style="list-style-type: none"> <li>(a) Companies defined u/s 2(20);</li> <li>(b) Insurance Companies, except if inconsistent with Insurance Act, 1938 or Act, 1999;</li> <li>(c) Banking Companies, except if inconsistent with Banking Regulation 1949;</li> <li>(d) Companies engaged in the generation or supply of electricity, except inconsistent with Electricity Act, 2003;</li> <li>(e) Statutory Companies unless inconsistent with its Special Act;</li> <li>(f) Body corporate, incorporated by any Act for the time being in force, as CG may, by notification specify in this behalf.</li> </ul>
Company [Section 2(20)]	Company means a company incorporated: <ul style="list-style-type: none"> <li>(a) Under this Act; or</li> <li>(b) Under any previous company law.</li> </ul> <p>Note:</p> <ul style="list-style-type: none"> <li>x The word "Company" when used in Companies Act, does NOT include Foreign Companies or Company Incorporated Outside India</li> </ul>
According to Chief Justice Marshall	A corporation is an artificial being, invisible, intangible, existing only in contemplation of law. Being a mere creation of law, it possesses only those properties which the charter of its creation confers upon it, either expressly or as incidental to its very existence.













































































