

Recommended books: Avatar Singh (most recommended), Paranjape., BK Sharma, Dr. YS Sharma

### Q. What are the types of the companies?

1. Companies incorporated by royal charter: (सम्राट राजपत्र द्वारा बनाई गई कंपनी) {England companies e.g., East India company}
2. Companies incorporated by special act of legislation. These companies are statutory companies e.g., LIC, RBI, Electricity, Food Corporation, SEBI etc.
3. Companies incorporated under Companies Act, these are registered companies.
4. unlimited company [the liabilities of its members are not limited]
5. Company Listed by shares. [limited company]
6. Joint stock company [transferable share from one share to another share]
7. Govt company sec 2(45) [51% shares are holding by the central govt company]
8. Defund company [कृत्शून्य कंपनी] – एसी कंपनी जो अपना व्यापार नहीं चला रही है, जो सक्रिय नहीं है।
9. Investment company sec 372 (10)
10. Listed public company e.g., Reliance
11. Producer company Sec (581) (A)(1)
12. Subsidiary/holding company - when a company controls other company is Holding company and the company which is controlled by other company is subsidiary company.
13. Foreign company – The company which is incorporated in some other country, but doing business in India. It is necessary for that company to use the name of Indian company if it is doing business with some Indian company.
14. One person company Sec 2 (62)
15. Private company Sec 2 (68): the company which has the minimum capital of Rs. 100,000 is private company. And the maximum members are under 200. And doesn't invite public to by its shares.

Important question: Director question.

25 November 2022

Companies की विशेषताएँ: --

1. Independent identity
2. Company स्वयं के नाम से क्रय विक्रय कर सकती है
3. कोर्ट में वाद प्रस्तुत कर सकती है या उसके विरुद्ध वाद किया जा सकता है।
4. Company के सदस्य की मृत्यु होने से कंपनी खत्म नहीं होती है  
[Solomon vs Solomon] - England's house of lord says that the company has its own identity  
[lennard's carrying company ltd v asiatic petroleum co ltd]  
[pameshwari das vs collector of bulandshahr]
5. Company's nationality - If a company is registered in Indian then it is Indian resident, if it is registered out of India then it is foreign registered.
6. Perpetual succession - If the members of it are died then also its identity will remain. Company act 2009 sec 9.  
Culcutta University is identified in 1857 but still it is identified.
7. Limited liability – In case of loss in company then it's shareholders will pay only for which he has the shares.
8. Transferability of shares
9. Nigamit arthvyavastha

10. Centralization – to manage the company one is appointed, who by his experience manage it.

11. Tax Rebate

**Dev Narayan Ji Sir 2 December 2022**

**Types of companies: -**

1. Chartered Company
2. Statutory Company
  - a. Banking
  - b. Electricity
  - c. LIC
  - d. Food Corporation
  - e. SEBI
3. Registered Company
  - a. On the basis of members liability: -
    - i. Limited by shares
    - ii. Limited by guarantee
    - iii. Unlimited company
  - b. On the basis of number of members: -
    - i. One person company
    - ii. Private company
    - iii. Public company
  - c. Others
    - i. Govt company
    - ii. Foreign company
    - iii. Small company
    - iv. Illegal association
    - v. Subsidiary and holding company
    - vi. Public financial institutions
  - d. Charitable company

**Characteristics of Company: -**

1. Limited liability
2. Social form of company
3. Citizenship
4. Voluntary association
5. Common seal
6. Separate legal entity
7. Right to sue and to be sued
8. Separate property
9. Perpetual succession
10. Incorporation association
11. Transferability of shares

सरस मिस्ट्री केस

<b>Most Important: -</b>
Doctrine of Ultra Virus
Doctrine of Intra Virus
Constructive Notice
Memorandum Of Association
Article Of Association

Prospectus

1. Members:
  - In public company minimum 7 members are required and there is no limit of maximum members.
  - In private company minimum 2 members are required and maximum 200 members are there.
2. Minimum Capital Investment:
  - 5 lakh in public company
  - 1 lakh in private company
3. Public company can transfer its shares to anyone.  
Private company can not transfer its shares to anyone.
4. It is mandatory to Public company to publish the statement (content/रूप रेखा) in the prospectus.  
In private company to publish the statement (content/रूप रेखा) in the prospectus.
5. Number of Director:
  - Public: minimum 3
  - Private: Minimum 2
6. निगमन प्रमाण पत्र प्राप्त करने के बाद भी व्यसय नहीं कर सकती है जॉब तक रजिस्ट्रार से उसे व्यसय का प्रमाण पत्र नहीं इशू कर दिया जाता है।  
प्राइवेट निगमन प्रमाण पत्र प्राप्त करने के बाद कर सकती है
7. एक पब्लिक कंपनी के संगम ज्ञापन (memorandum) के अभिदान खंड में नन्तम 7 व्यक्तियों के आवश्यकताओं होती होई जॉब की प्राइवेट में 2 की आवश्यकता होती है।
8. एक पब्लिक कंपनी का वाइंडिंग अप कोर्ट द्वारा तब किया जाएगा जॉब इसके सदश्यों कि संख्या 7 से कम हो जाये। pvt 2
9. प्रत्यक पब्लिक कंपनी के डायरेक्टर या को अपना पद grahan karne se purv company ke memorandon of association me sign karne hote hai jo is baat ka praman hota hia ki vaha swikaar karta hai and yogyata  
Private me koi aavashkaytaye nahi hoti hai.
10. Pratyak public company ko apna vyasay prarambh karbne ki tithi se ek maah  
baad ya 6 maah ke andr ek statutory meeting jaruri hoti hai
11. Koi bhi public company taab tak apna vyapar nahi kar sakti hai jab tak use company registrar se koi anumati nahi mil jaye
12. Public co ko anpe naam ke ant me pub ltd jaruri hai  
pvt ko pvt ltd required hai
13. Public co par govt ctrl hota hai
14. Public co ko anpen share kharidne ke liye public ko bula sakti hai  
Pvt me koi role nahi hai