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Subject: CORPORATE LEGAL FRAMEWORK

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Topic: KINDS OF MEETINGS

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INTRODUCTION

A company is an artificial person in the eyes of law, with its own separate legal entity, yet it cannot in itself think over various issues and matters, nor draw inferences, nor express its will and also cannot make a decision. So the company meetings provide an opportunity and forum for the shareholders to come together and take decision for the growth, development and management of the company and for the directors to take decision for the smooth, effective and successful running of the company activities and affairs.

REQUISITES OF VALID MEETING

- **Properly conducted**
- **Conducted by authorized person**
- **Proper and adequate notice**
- **Legally constituted**
- **Must have chairperson**
- **Follow rules of quorum**

TYPES OF COMPANY MEETINGS

A. SHAREHOLDER'S MEETINGS

- **STATUTORY MEETING**
- **ANNUAL GENERAL MEETING**
- **EXTRAORDINARY GENERAL MEETING**
- **CLASS MEETING**

B. OTHER MEETINGS

- **MEETING OF DEBENTUREHOLDER**
- **MEETINGS OF CREDITORS AND CONTRIBUTORS AT THE TIME OF WINDING UP**
- **MEETINGS OF CREDITORS DURING THE LIFETIME OF THE COMPANY**
- **MEETINGS OF DIRECTORS**
 1. **BOARD MEETINGS**
 2. **COMMITTEES' MEETINGS**

*** STATUTORY MEETING**

It is the first meeting which company conducts after its commencement. Public limited company is required to hold such meeting within a period not less than one month and not more than six months from the date of commencement. The BOD has to send the statutory report to every member of the company at least before the date of meeting.

*** ANNUAL GENERAL MEETING**

Every company is required to hold a general meeting as annual general meeting every year except one person company. There should not be a gap of more than 15 month between two annual general meetings. Every member of the company, legal representative of deceased and assignee of insolvent member, auditor and every director of the company should get notice for annual general meeting.

*** EXTRAORDINARY GENERAL MEETING**

An extraordinary general meeting may be held whenever the board of directors think fit to transact the business of a special character. Sometimes there may be some important and urgent businesses decision which cannot be postponed till the next annual general

meeting. An EGM may be arranged by the BOD, by the national company law tribunal and by the requisitionists.

*** CLASS MEETING**

A class meeting is a meeting of a particular class of shareholders like preference shareholders or equity shareholders. In order to discuss the matters affecting only one class of shareholders, a meeting of that particular class of shareholders is held in order to adequately discuss the matter from the point of view. Only members of the class concerned may attend and vote at such a meeting.

*** MEETINGS OF DEBENTUREHOLDERS**

One of the most common purposes for which the debentureholders' meeting is employed is to carry out a modification or compromise of rights between the company and the debentureholders. Usually the rules and regulations relating to notice of debentureholders' meeting, appointment of chairman of meeting, passing the resolutions, quorum of meeting, and the writing and signing of the minutes are contained in the trust deeds.

*** MEETINGS OF CREDITORS AND CONTRIBUTORIES IN WINDING UP**

The meeting of creditors and the meetings of contributories are held when the company has gone into liquidation. These meetings are held to ascertain the total amount due by the company to its creditors and also to appoint liquidators to wind up the affairs of the company.

*** MEETINGS OF CREDITORS DURING THE LIFETIME OF THE COMPANY**

The meetings with creditors during the lifetime of the company are called when the company proposes to make a scheme or an arrangement with its creditors.

*** BOARD MEETING**

First board meeting should be held within 30 days of the date of incorporation of company. There shall be minimum 4 board meeting every year and not more than 120 days shall intervene between two consecutive board meeting. Chairman of the company shall be chairman of the board.

*** COMMITTEES' MEETING**

The Board of Directors may form certain committees of Directors and delegate powers to them to take decisions on the matters referred to them. Such delegation of powers may be made only when the Articles authorise the Board to do so and moreover such delegation shall also be subject to the provisions of the companies Act. The committee of the Board may be standing committee or Ad hoc committees. Standing committees are usually formed to conduct routine business such as allotment of shares, transfer of shares, etc. Ad hoc committees are formed from time to time to perform a special business of temporary nature, or to deal with any situation arising for the time being.
