

# PREFACE

The National Company Law Tribunal (NCLT) and the National Company Law Appellate Tribunal (NCLAT) are significant quasi-judicial bodies in India's corporate and commercial landscape, where legal intricacies meet corporate dynamics, shaping the destiny of businesses and industries. Constituted under the Companies Act, 2013, in recent years, the NCLT & NCLAT have emerged pivotal in offering a forum for resolving complex corporate disputes and insolvency matters with precision and efficacy.

The NCLT and NCLAT provide various opportunities for professionals to offer representational services in case of mergers /amalgamation/ de-merger/ restructuring, reduction of share capital, winding up proceeding, oppression and mismanagement, conversion of companies, etc. under the Companies Act, 2013. As a professional it is important to understand the legislative provisions, procedural nuances, powers of the Tribunals, landmark judgments, and the profound impact the Tribunals have on India's corporate ecosystem.

The Institute has come out with this publication "NCLT & NCLAT- Practice and Procedure" to provide a comprehensive insight into the functioning, significance, and evolving jurisprudence of the NCLT under the Companies Act, 2013 specifically garnering the role of Company Secretaries. Through meticulous analysis and practical insights, the aim is to demystify the complexities surrounding NCLT proceedings, empowering our professionals with the knowledge and understanding essential for navigating this specialized domain.

The Institute is very much hopeful that this publication will serve as a valuable companion in your exploration of the NCLT and NCLAT, enriching your understanding of Tribunals role, procedures, and jurisprudence. The aim is to present a balanced and holistic perspective, capturing the multifaceted dimensions of NCLT jurisprudence while offering practical guidance for practitioners and stakeholders. This publication will serve as one stop solution for the hassles in NCLT practice for our practising professionals.

The publication draws upon a diverse range of expertise, incorporating insights from practising professionals who have expertise in the area and eminent scholars. I sincerely appreciate and acknowledge the valuable contribution of all the experts who have diligently worked behind the scenes to refine and polish this manuscript, ensuring its accuracy, clarity, and relevance to readers.

I further take this opportunity to place on record the encouragement and support extended by CS Sandip K Kejriwal and CS Pawan G Chandak, Council Members, ICSI who have inspired the team to work with high zeal and enthusiasm in this direction.

I commend the dedicated efforts of Dte. of Professional Development led by CS Alka Arora, Director, ICSI and the able leadership of CS Asish Mohan, Secretary, ICSI.

I would appreciate the users/readers for offering their constructive suggestions/comments for the improvement of this publication.

Place: Ayodhya  
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**CS B Narasimhan**  
President  
The Institute of Company Secretaries of India