

St. Mira's College for Girls,
(Autonomous-Affiliated to Savitribai Phule Pune University)
Class: SYBCOM
Subject: Corporate Law
Subject Code: C41605
SEM IV
(2018-19)

Unit 4:

Skill Development – Analytical ability – understanding provisions of the New Companies Act, 2013, with the help of Case Studies

09/10 MSW

St. Mira's College for Girls
(Autonomous-Affiliated to Savitribai Phule Pune University)
Subject: Corporate Law
Title of the Paper: Applied Corporate Law
(S.Y.B.Com A - Sem IV)
(Flexi Test II) 2018-2019

Date: 01/12/2019

Name: Mansi Rathod

Set I

Total Marks: 10

Roll No.: 3651

Comment on the following case:

For a meeting of Tech Mahindra Ltd. ten people were present. However four of them were present in person and six in proxy. Does it constitute a valid quorum? Comment on the provisions of the New Companies Act, 2013, relating to quorum at general meetings of a public limited company.

Held: No, it is not a valid number to constitute the Quorum for the General Meeting of a Public Ltd. Company.

Meaning of Quorum:

Quorum means the minimum ^{no. of} members required to constitute a valid meeting and to carry out the proceedings of the meeting.

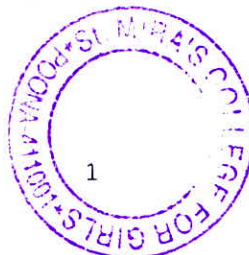
No business matter can be discussed and decided if there is no proper Quorum.

In the absence of the required Quorum, the meeting becomes invalid and it is required to be adjourned.

Rules relating to Quorum for a General Meeting:

- 1) 5 members personally present in case of a Public Ltd company and 2 members personally present in case of a Pvt. Ltd company are required for proper Quorum.
- 2) For deciding the proper Quorum members present in person and not proxy are to be counted.
- 3) If the required ^{Quorum} is not present within half an hour of the time scheduled for the meeting the meeting shall be adjourned in the next week on the same day, date and time.
- 4) Even at the adjourned meeting also the Quorum is not present then the members present shall constitute the Quorum.
- 5) Joint shareholders are treated as a single member during the Quorum.
- 6) The requirement regarding Quorum is at the beginning of the meeting.
- 7) The Articles of Association may provide for a larger Quorum - but not a smaller one than the statutory minimum.

MSWagh
(Subject Teacher)




Principal Incharge
St. Mira's College for Girls

Facts and Analysis:

Tech Mahindra Ltd being a Public Ltd. ^{company} according to the rules relating to Quorum for General Meeting, minimum/ at least 5 members are required to be present in person, to constitute a valid Quorum.

In this case, even though 10 members were present, 4 were present in person and 6 were present in proxy. Thus, it does not fulfill the rules relating to Quorum for a General Meeting.

Hence, it is ~~a valid~~ not a valid Quorum.

Meenakshi Wagh Mswagh

Name and Signature of the Faculty:
Dr. Meenakshi Wagh



JK
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