

**GOVERNMENT OF INDIA
COMPANY AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3619
ANSWERED ON:27.04.2007
NATIONAL COMPANY LAW TRIBUNAL
Bishnoi Shri Kuldeep

Will the Minister of COMPANY AFFAIRS be pleased to state:

- (a) whether the National Company Law Tribunal is not functional at present;
- (b) if so, the reasons therefor; and
- (c) the time by which it is likely to be made fully operational?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF COMPANY AFFAIRS (SHRI PREM CHAND GUPTA)

(a) Yes, Sir.

(b) & (c) The National Company Law Tribunal(NCLT) and the National Company Law Appellate Tribunal (NCLAT) have not been constituted as yet since the provisions of the Companies Act, 1956 consequent to the Companies (Second) Amendment Act, 2002 relating to setting up of the NCLT/NCLAT faced a legal challenge, and the matter is sub-judice on account of a Special Leave Petition(SLP) filed by the Central Government in the Supreme Court, following a ruling by the Madras High Court in the matter. Therefore, no time schedule for setting up of NCLT/NCLAT can be stated at present.