www.iarfconferences.com

ICASEMH - 2023



INTERNATIONAL CONFERENCE ON ADVANCES IN SCIENCE, ENGINEERING, MANAGEMENT AND HUMANITIES (ICASEMH – 2023) 26[™] FEBRUARY, 2023

CERTIFICATE NO : ICASEMH /2023/C0223215

AN EFFECTIVENESS OF THE COMPANY LAW BOARD IN HANDLING CORPORATE DISPUTES AND REGULATORY MATTERS

B. RAJU

Research Scholar, Ph. D. in Law P.K. University, Shivpuri, M P

ABSTRACT

The effectiveness of the Company Law Board (CLB) in handling corporate disputes and regulatory matters has been a pivotal aspect of corporate governance in India. Established under the Companies Act, 1956, the CLB was tasked with adjudicating issues related to company law, including disputes between shareholders, mismanagement, and oppression, as well as various regulatory matters. The CLB aimed to provide a specialized forum that could offer quicker resolutions compared to traditional courts, thereby ensuring a smoother functioning of corporate entities. However, the effectiveness of the CLB has been a subject of debate. On one hand, it provided a dedicated platform for resolving complex corporate issues, bringing expertise and focus to matters that could otherwise be delayed in general courts. On the other hand, criticisms arose due to procedural delays, limited enforcement powers, and inconsistencies in decision-making. These challenges sometimes undermined its ability to deliver swift and fair resolutions. In 2016, the CLB was replaced by the National Company Law Tribunal (NCLT) as part of broader corporate law reforms under the Companies Act, 2013. The NCLT was designed to address the shortcomings of the CLB, with enhanced jurisdiction and authority to better handle corporate disputes and regulatory matters, reflecting a more robust approach to corporate governance in India.