

Chapter V-B - Procedure and Extraterritorial Reach

Control appearance, evidence, cross-border effects, recovery and execution.

Chapter in 2 Minutes

- Identify the legal trigger, responsible actor and evidence relevant to procedure and extraterritoriality.
- Read the Act with all effective Rules, regulations, notifications, directions, guidelines and forum procedure as at the event date.
- Separate substantive obligation, operational workflow, filing or reporting, enforcement consequence, remedy, appeal and limitation.
- Maintain a reproducible source pack, decision memo, approval trail and transaction-level evidence.
- Apply connected company, contract, tax, accounting, data, competition, consumer, insolvency and sector-law overlays independently.

Provision / instrument map

Provision	Subject / control
S. 34	Procedure, extraterritoriality and execution - official section title to be read from the current Act
S. 35	Procedure, extraterritoriality and execution - official section title to be read from the current Act
S. 36	Procedure, extraterritoriality and execution - official section title to be read from the current Act
S. 37	Procedure, extraterritoriality and execution - official section title to be read from the current Act
S. 38	Procedure, extraterritoriality and execution - official section title to be read from the current Act
S. 39	Procedure, extraterritoriality and execution - official section title to be read from the current Act
S. 40	Procedure, extraterritoriality and execution - official section title to be read from the current Act
S. 41	Director General to investigate contraventions
S. 42	Procedure, extraterritoriality and execution - official section title to be read from the current Act

Implementation and practical application

A business decision raises procedure and extraterritoriality. The team should freeze the relevant chronology, identify every actor and legal relationship, map the current provision and delegated instrument, preserve system and communication evidence, quantify exposure, and choose cure, filing, response, settlement or litigation only after checking jurisdiction and limitation.

Control checklist

Classify facts and role; capture current source; map approvals and evidence; calculate threshold/time/exposure; implement system gate; preserve filing and delivery proof; verify forum and limitation.

Cross-law overlays

Contract, company/LLP, tax/accounting, data/cyber, consumer, competition, MSMED, RERA, FEMA, IBC, sector law and evidence rules must be applied separately.

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