

Chapter IX — Investigation

Chapter in 2 minutes

- Prepare for compulsory information production, preservation, related-entity review, seizure, reporting and downstream proceedings.
- Preserve first, investigate under privilege, produce through a controlled index and prevent retaliation or destruction.
- Read every section with the amended Rules, current MCA form and the LLP agreement.
- Authority, source evidence, State stamp/registration and cross-law effects are separate closing gates.
- A portal acknowledgement is evidence of filing—not a substitute for legal accuracy or complete transaction documentation.

Mandatory execution gates

- Current Act + amended Rule/form
- Agreement and authority
- State stamp/registration
- Tax/GST/FEMA/IBC overlay
- Evidence + filing acknowledgement
- Forum/limitation on default

Provision / control map

Provision	Subject	Control
43	Investigation of affairs	Trigger legal hold, custodians, privilege and controlled production as soon as an inquiry is reasonably anticipated.
44	Application by partners	Reconcile agreement, consent, authority, valuation, payment/vesting, capital account, tax and statutory filing.
45	Who cannot be appointed inspector	Trigger legal hold, custodians, privilege and controlled production as soon as an inquiry is reasonably anticipated.
46	Investigation of related entities	Trigger legal hold, custodians, privilege and controlled production as soon as an inquiry is reasonably anticipated.
47	Production of documents and evidence	Activate legal hold, custodians list, collection protocol, privilege review and controlled production log.
48	Seizure of documents	Trigger legal hold, custodians, privilege and controlled production as soon as an inquiry is reasonably anticipated.
49	Inspector's report	Trigger legal hold, custodians, privilege and controlled production as soon as an inquiry is reasonably anticipated.
50	Prosecution	Apply the chapter gate: Preserve first, investigate under privilege, produce through a controlled index and prevent retaliation or destruction.
51	Application for winding up	Map route, solvency, creditors, employees, taxes, assets, litigation, records and responsible office-holder before action.
52	Recovery of damages or property	Apply the chapter gate: Preserve first, investigate under privilege, produce through a controlled index and prevent retaliation or destruction.

Evidence file

Stamped agreement; consents/KYC; approvals; forms/attachments; SRN/challan; books/bank/tax; contracts and delivery; notices/orders; source/version log.

Default response

Stop continuing loss; legal hold; verify authority and facts; issue notice; correct public records; calculate exposure; preserve mitigation; select statutory/ADR forum.