

## Competition Act, 2002

### Section 43 - Penalty for Failure to Comply with Directions of Commission and Director General

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#### 2[1]**43. Penalty for failure to comply with directions of Commission and Director General.--**

If any person fails to comply, without reasonable cause, with a direction given by --

(a) the Commission under sub-sections (2) and (4) of section 36; or

(b) the Director General while exercising powers referred to in sub-section (2) of section 41,

such person shall be punishable with fine which may extend to rupees one lakh for each day during which such failure continues subject to a maximum of rupees one crore, as may be determined by the Commission.]]

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1. Substituted by the Competition (Amendment) Act, 2007 [Act No 39 of 2007]. Prior to substitution it read as:

#### **"43. Penalty for failure to comply with directions of Commission and Director General**

If any person fails to comply with a direction given by--

(a) the Commission under sub-section (5) of section 36; or

(b) the Director General while exercising powers referred to in sub-section (2) of section 41, the Commission shall impose on such person a penalty of rupees one lakh for each day during which such failure continues."

2. Effective date:20th May 2009- notified vide Ministry of Corporate Affairs Notification No S.O.1241(E) dated 15.05.2009.

