

APPENDIX 7
THE DELHI PARTNERSHIP (REGISTRATION OF FIRMS)
RULES, 1972

No. F. 7/3/70/Firms, dated Delhi the 15th September, 1972.—In exercise of the powers conferred by sub-section (2) of section 71 of the Indian Partnership Act, 1932 read with erstwhile State Ministry's Notification No. 104-J, dated the 24th August, 1950 as amended by their Notifications No. 248-J, dated the 24th October, 1951 and No. 14-J, dated the 3rd April, 1954, the Administrator of Delhi is pleased to make, after previous publication, the following rules namely:—

1. Short title.—These rules may be called the Delhi Partnership (Registration of Firms) Rules, 1972.
2. Definitions.—In these rules unless there is anything repugnant in the subject or context:
 - (a) "Act" means the Indian Partnership Act, 1932.
 - (b) "Document" includes statements, intimations and notices prescribed by the Act.
 - (c) "Firm" means a body of persons consisting of two or more persons to which the Act applies.
 - (d) "Form" means a form in the Schedule to these rules.
 - (e) "Registrar" means an officer appointed by the Lt. Governor under section 57 of the Act to perform the duties of the Registrar of Firms for the Union Territory of Delhi.
3. Form and verification of documents under sections 58 and 60.—The documents submitted to the Registrar under sections 58 and 60 of the Act shall, respectively, be in Forms I and II annexed to these rules and shall be verified in the manner indicated therein.
4. Forms of register of firms, statements under sections 58 and 60, Notices under sections 61, 62 and 63 and index to register of firms.—(i) The Register for "firms" to be maintained by the Registrar under section 59 of the Act shall be in the Form "A" annexed to these rules.
 - (ii) The statement required under section 58 of the Act for the registration of a firm shall be in Form I.
 - (iii) The statement under section 60 of the Act relating to changes in the firm's name and the principal place of business, shall be in Form II.
 - (iv) The notice under section 61 of the Act of closing and opening of branches shall be in Form III.
 - (v) The notice under section 62 of the Act of changes in the names and addresses of partners shall be in Form IV.
 - (vi) The notice of alteration in constitution of firm under sub-section (1) of section 63 of the Act shall be in Forms V and VI respectively.

(vii) The notice of withdrawal from, or remaining in Partnership to be given under sub-section (2) of section 63 of the Act by a minor on attaining majority shall be in Form VII.

(viii) An Index to the Register of firms shall be maintained by the Registrar in Form D.

The name and particulars relating to a firm shall be entered in the Register of Firms in the order of its registration on separate page or pages as the case may be. Each firm shall be assigned a number in a consecutive series commencing and ending with calendar year. A note of every document filed shall be entered in the Register in the page or pages allotted to the firm concerned and shall be signed by the Registrar, who will affix his stamp on it.

5. Amendment of entries in Register.—When an entry made in the Register of Firms is to be amended, the amendment shall be shown by means of a suitable note in "Red ink" in the remarks column opposite to the end of the existing entry or entries with suitable cross references.

6. Procedure on disputes.—Where any partner or other person interested makes a protest in writing to the Registrar disputing any entry made in the register of firms, the Registrar shall record such protests and make a reference thereto in "Red ink" in the remarks column against the disputed entry.

7. Examination of documents received by the Registrar.—On receipt of every statement, intimation, notice or any other document required by the Act to be filed or registered in his office the Registrar shall examine it, and if it is found to be defective or incomplete in any of the particulars required to be given therein or not verified in the manner prescribed by these rules, or to any way not in accordance with the provisions of the Act or these rules, he shall return it to the person who applied for filing or recording or to the firm concerned, and until proper rectification or completion is made, he shall not register or file the document in question nor shall he file or register the same unless and until the prescribed fees are paid to and received by him. The Registrar shall pending the payment of the such fees, act in the same way as if no such document or fact have been tendered for filing or recording or registration.

8. Acknowledgement by the Registrar.—The Registrar may acknowledge the receipt for filing of any document after necessary entries have been made in the "Register of Firms" in accordance with the Form "C" annexed to these Rules.

9. Enquiries and investigation by the registrar in case of disputes.—The Registrar may in his discretion institute such enquiries or make such investigations in respect of any matter as may in his opinion be necessary for the performance of his duties and administration of the Act, especially when a dispute arises amongst the several partners of a firm, and the Registrar may in his discretion call upon any of the partners or all of them to produce any original deed, document or such evidence as he thinks fit.

10. Procedure on closing of business and dissolution.—(i) Where the Registrar has reasonable cause to believe that a registered firm is not carrying on business or is not in operation or that it is finally dissolved but the prescribed intimation has not been given, he shall send by registered post to every partner of the firm at its last known address a letter enquiring whether the firm not carrying on business or is in operation.

(ii) If the Registrar receives an answer from any partner to the effect that the firm is not carrying on business or is not in operation or if he does not within one month from the date of the posting of the letter receive any answer, he shall publish, in the local official Gazette and send to all the partners by registered post, a notice that at the expiration of three months from the date of that notice the name of the firm mentioned therein shall, unless cause is shown to the contrary, be struck off the Register of Firms and the registration shall be deemed cancelled.

(iii) At the expiration of time mentioned in the notice the Registrar shall, unless cause is shown previously by the partners, strike its name of the Register, and shall publish notice thereof in the local official Gazette, and on the publication of such notice in the official Gazette, the registration of the firm shall stand cancelled.

11. Preservation and elimination of registers and records.—The Registrar of Firms and the Index thereto shall be preserved permanently. All other records including the statements referred to in section 58 relating to any firm may be destroyed on the expiry of five years from the date of the dissolution of such firm.

12. Index to register of firms.—(a) An Index to the Register of firms shall be prepared in English or in Hindi on loose sheets lettered alphabetically and shall contain the particulars shown in Form "A" annexed to these rules. A fresh index shall be prepared for each calendar year. The name of each firm shall be indexed as soon as the entries relating thereto are made in the Register of firms.

(b) After all the firms registered in a year have been indexed, the index shall be checked by the Registrar who shall add a certificate in token of check and the pages shall then be numbered in ink.

(c) The index for each year shall, after it has been checked, be bound into volumes of convenient size.

13. Filing of documents.—A separate file shall be maintained in respect of each firm, in which all documents relating thereto received from time to time by the Registrar shall be filed. No document shall be filed by the Registrar unless the fee prescribed has been paid.

14. Condition of inspection.—The register shall be open to inspection on written application and on payment of the prescribed fee. The file of the document kept in the Registrar's office shall similarly be open to inspection by any person applying therefor; provided the applicant satisfies the Registrar that he has sufficient interest in the contents of the documents or of which he applies for inspection and that mere inspection of Register will not serve his purposes:

Provided that he shall not have the right, while so inspecting, to take copies or extracts, from any of the documents of the Register.

15. Grant of copies.—A copy of any entry in the Register shall be supplied to any person on written application and on payment of the prescribed fee.

16. Application for copies to be in writing.—Every application for a copy under section 67 of the Act shall be in writing on judicial paper.

17. Scale of fees.—For the purpose of Chapter VII the following fees shall be charged in respect of documents noted against each:

- (a) Statement under section 58—Three rupees.
- (b) Statement under section 60—One rupee.
- (c) Intimation under section 61—One rupee.
- (d) Intimation under section 62—One rupee.
- (e) Notice under section 63—One rupee.
- (f) Application under section 64—One rupee.
- (g) Inspection of Register of Firms under sub-section (i) of section 66
Fifty paise for inspecting one volume of the Register.
- (h) Inspection of documents relating to a firm under sub-section (2) of section 66
Fifty paise for inspection of all documents relating to one firm.
- (i) Copies from the Register of firms.
Twenty-five paise for each 100 words or part thereof.

18. Mode of payment.—All fees prescribed under the rules shall be paid in the form of Court-Fee Stamps, and the Registrar shall maintain a proper record of the fee so received daily.

FORM NO. 1
[Rule 4 (H)]

Application for Registration of Firm by the Name.....
Prescribed or forwarded to the Registrar of Firms and for filing by.....

We, the undersigned being the partners of the Firm*.....
hereby apply for registration of the firm and for that purpose supply the
following particulars in pursuance of Sec. 58 of the Indian Partnership Act,
1932.

The firm name*

Place of Business (a) Principal Place
(b) Other Places

Names of partners in Date of joining Permanent address in
full the firm full

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Duration of the firm

Station

Date..... Signatures of all partners or their
specially authorised agents

I,..... son of..... years of age of..... religion
do hereby declare that the above statement is true and correct to the
best of my knowledge and belief.

Date..... Signature

Witness..... years of age of.....

I,..... son of..... years of age of..... religion
do hereby declare that the above statement is true and correct to the
best of my knowledge and belief.

Date..... Signature

*Here enter name of firm.

If any partner is a minor the fact whether he is entitled to the benefits of
partnership should be set out herein.

I,..... son of..... years of age of..... religion
do hereby declare that the above statement is true and correct to the best of my
knowledge and belief.

Date..... Signature

Witness.....

I,..... son of..... years of age of..... religion
do hereby declare that the above statement is true and correct to the best of my
knowledge and belief.

Date..... Signature

Witness.....

I,..... son of..... years of age of..... religion
do hereby declare that the above statement is true and correct to the best of my
knowledge and belief.

Date..... Signature

Witness.....

I,..... son of..... years of age of..... religion
do hereby declare that the above statement is true and correct to the best of my
knowledge and belief.

Date..... Signature

Witness.....

I,..... son of..... years of age of..... religion
do hereby declare that the above statement is true and correct to the best of my
knowledge and belief.

Date..... Signature

Witness.....

N. B.—This Form must be signed by all partners or their agents specially
authorised in this behalf in the presence of a witness who must be either
Gazetted Officer, Advocate, Attorney, Vakil, Magistrate or Registered
Accountant.

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FORM No. IV

[Rule 4 (v)]

Intimation of alteration in the name or permanent address of a partner

Presented or forwarded to the Registrar of firms for filing by..... Under Sec. 62 of the Indian Partnership Act, 1932, intimation is hereby given that the change specified below has occurred in the name or permanent address of a partner in the firm*

Name of Partner

Previous name (in full)

New name (in full)

Name of Partner

Previous Permanent Address (in full)

Present Permanent Address (in full)

Station

Date.....

Verified

Signature of any Partner, or Agent of the firm.

*Here enter the name of the firm.

N. B.—Strike out the item not required.

This Form must be signed by the partner or his agent specially authorised in this behalf in the presence of a witness who must be either a Gazetted Officer, Advocate, Attorney, Vakil, Magistrate or Registered Accountant.

FORM No. V

[Sec. 63 (i)]

Notice of change in the constitution of a registered firm

The Registrar of Firms

I,..... being an incoming/continuing/outgoing partner of the firm..... do hereby give you notice to the following change in the constitution of the said firm.....

(Describe the change briefly but clearly and precisely)

N. B.—Certified copy of alteration with certified copy of the new deed if one has been executed and certified translation of alteration and the deed if not in English language must accompany this notice and be shortly referred to here.

Verified

Dated.....

Signature

*Name of the Firm

N. B.—This Form must be signed by partners or their agents specially authorised in this behalf in the presence of a witness who must be either Gazetted Officer, Advocate, Attorney, Vakil, Magistrate or Registered Accountant.

FORM No. VI

[Sec. 63 (i) & Rule (4) (vi)]

Notice of dissolution of registered firm

To

The Registrar of Firms

I,..... a partner of the firm*..... (or an authorised agent of the firm*..... a partner of the firm*..... hereby give notice of dissolution of the said firm which took effect from the..... day of..... 19.....

Certified copy of a deed dissolving the firm, if any, and certified translation of the deed, if not in the English language, must accompany the notice.

Verified

Date.....

Signature

*Name of the firm.

N. B.—This Form must be signed by any of the partners or their Agents specially authorised in this behalf in the presence of a witness who must be either a Gazetted Officer, Advocate, Attorney, Vakil, Magistrate or Registered Accountant.

FORM No. II
[Rule 4 (iii)]

Notice of alteration in the name of the firm or in location of the principal place of business thereof

[See Sec. 60]

To

The Registrar of Firms

Notice is hereby given pursuant to Sec. 60 of the Indian Partnership Act, 1932, of the following alteration in the *Name..... of the firm.....

Location of the principal place of business.

Date of alteration	Name of the Firm		Principal place of Business	
	Former Name	Present Name	Former Address	Present Address

FORM No. III
[Rule 4 (iv)]

Intimation of change in the place of business (other than principal place of business)

Presented or forwarded to the Registrar of Firms for filing by.....

Under Sec. 61 of the Indian Partnership Act, 1932 intimation is hereby given that the changes specified below have occurred in the place of business of the firm.¹

1. The firm has discontinued business at.....
2. The firm has begun to carry on business at.....

Date of change

Station
Date.....

Verified
Signature of any partner or agent
of the firm

Witness or witnesses attesting the signatures Signatures of all the partners of the firm

Verification

Date.....

We, the partners of the firm do hereby declare that the foregoing statement is true to our knowledge and belief.

Witness or witnesses attesting the signature Signatures of all the partners of the firm

Date.....

*Strike out the portion which does not apply.

N. B.—This Form must be signed by all persons or their agents specially authorised in this behalf in the presence of a witness who must be either Gazetted Officer, Advocate, Vakil, Magistrate or Registered Accountant.

1. Here enter name of the firm.

N. B.—Strike out the terms not required.

This Form must be signed by any of the partners or his agent specially authorised in this behalf in the presence of a witness who must be either Gazetted Officer, Advocate, Attorney, Vakil, Magistrate, or Registered Accountant

2/250

FORM No. IV
[Rule 4 (v)]

Intimation of alteration in the name or permanent address of a partner

Presented or forwarded to the Registrar of firms for filing by

Under Sec. 62 of the Indian Partnership Act, 1932, intimation is hereby given that the change specified below has occurred in the name or permanent address of a partner in the firm*

Previous name (in full) New name (in full)

Previous Permanent Address (in full) Present Permanent Address (in full)

Name of Partner
Station
Date.....
Verified.....
Signature of any Partner, or Agent of the firm.

*Here enter the name of the firm.
N. B.—Strike out the item not required.
This Form must be signed by the partner or his agent specially authorised in this behalf in the presence of a witness who must be either a Gazetted Officer, Advocate, Attorney, Vakil, Magistrate or Registered Accountant.

FORM No. V
[Sec. 63 (j)]

Notice of change in the constitution of a registered firm

The Registrar of Firms
I,, being an incoming/continuing/outgoing partner of the firm, do hereby give you notice to the following change in the constitution of the said firm.....
(Describe the change briefly but clearly and precisely)

N. B.—Certified copy of alteration with certified copy of the new deed if one has been executed and certified translation of alteration and the deed if not in English language must accompany this notice and be shortly referred to here.

Verified.....
Dated.....
Signature

*Name of the Firm
N. B.—This Form must be signed by partners or their agents specially authorised in this behalf in the presence of a witness who must be either Gazetted Officer, Advocate, Attorney, Vakil, Magistrate or Registered Accountant.

FORM No. VI
[Sec. 63 (f) & Rule (4) (vi)]

Notice of dissolution of registered firm

To
The Registrar of Firms
I,, a partner of the firm*, (or an authorised agent of, a partner of the firm*, hereby give notice of dissolution of the said firm which took effect from the, day of, 19

Certified copy of a deed dissolving the firm, if any, and certified translation of the deed, if not in the English language, must accompany the notice.
Verified.....
Date.....
Signature

*Name of the firm.
N. B.—This Form must be signed by any of the partners or their agents specially authorised in this behalf in the presence of a witness who must be either a Gazetted Officer, Advocate, Attorney, Vakil, Magistrate or Registered Accountant.

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Notice or withdrawal or remaining in a partnership to be given
by a minor on attaining majority

Presented for filing by

I, of having
been admitted to the benefits of partnership in the firm* having
its principal place of business at hereby give notice that I
have attained majority and have elected to become and have become
partner of the said firm with effect from not to become and have not become
Verified
Date.....

Signature of Electing person (or
of person acting as an authorised
Agent of Electing person)

*Insert the name of the firm.

N. B.—This Form must be signed by the minor attaining majority or his
agent specially authorised in this behalf in presence of a witness who must be
either a Gazetted Officer, Advocate, Attorney, Vakil, Magistrate or Registered
Accountant.

S. No. of Firm :
Date of Registration :
Address :

Name of the Firm
Duration of Firm :

Name & address of partners & changes therein

Name of partners	Address	Date of	Remarks
		Joining	Ceasing
Principal place of business & changes therein			
Particulars regarding the place		Date of change	Remarks
Other places of business & changes therein			
Name of Firm		Changes in the name of firm	

Name of Place	Date of	Remarks	Firm name as changed	Date of Change
	Opening	Ceasing		
1	2	3	4	5
				6

Remarks	S. No. of documents	Description of documents	Date of Filing	Sign. of Registrar
7	8	9	10	11

FORM B

[Rule 8]

Acknowledgement of Registration of Firms

The Registrar of Firms, Delhi, hereby acknowledges the receipt of the statement prescribed by Sec. 58 (1) of the Indian Partnership Act, 1932.

The statement has been filed and the name of firm M/s. has been entered in the Register of firm, as No. of 197

SEAL

Dated this

Registrar of firms

Day of 197

Delhi

FORM C

Memorandum Acknowledging Receipt of documents

The Registrar of Firms, Delhi, hereby acknowledges the receipt of the under-mentioned document/documents and intimates that it has/they have been filed in pursuance of the Indian Partnership Act, 1932.

(Here enter description of document/documents)

Station

Date.....

To

M/s.

Registrar of Firms
Delhi

FORM C

[Rule 4 (viii)]

Index to the Register of Firms

S. No.	Name of the firm	Registration No./Year	Principal place of business

APPENDIX 8
GUJARAT PARTNERSHIP RULES

No. 6. Bombay Partnership Rules, 1932 is applicable to Gujarat, See Appendix