

MINISTRY OF CORPORATE AFFAIRS**NOTIFICATION**

New Delhi, the 11th January, 2010

G.S.R. 24(E).— In exercise of the powers conferred by sub-section (1) and (2) of section 79 of the Limited Liability Partnership Act, 2008 (6 of 2009), the Central Government hereby makes the following rules further to amend the Limited Liability Partnership Rules, 2009, namely: –

1. (1) These rules may be called the Limited Liability Partnership (Amendment) Rules, 2010.
- (2) They shall come into force on the 15th day of January , 2010.
2. In the Limited Liability Partnership Rules, 2009,-
 - (i) for rule 10, the following shall be substituted, namely:-

“10(1) Every individual or nominee of a body corporate who is intending to be appointed as designated partner of a limited liability partnership shall submit an application electronically to the Central Government for allotment of Designated Partner Identification Number (DPIN) in the manner as provided in Form 7 along with fee as mentioned in Annexure ‘A’.
 - (2) (i) For making an application under sub-rule (1), the applicant shall attach the following:-
 - (a) attested or certified copy of the proof of identity containing self-photograph, date of birth and father’s name;

- (b) attested or certified copy of the proof of residence;
- (c) attested recent self photograph pasted on a plain paper and mentioning on that paper his or her name and affixing his or her two signatures thereon;
- (ii) In case the applicant is a foreign national, a copy of the valid passport shall be proof of identity.
- (iii) In case the applicant is nominee of a body corporate, a copy of resolution or authorization on the letterhead of the body corporate mentioning the name and address of an individual nominated to act as Designated Partner on its behalf shall also be attached:

Provided that in case the proof of identity and proof of residence is in a language other than Hindi or English, a certified copy of translation of the same either in Hindi or English shall be attached.

(3) The documents referred in sub-rule (2) shall be attested or certified by any one of the following authorities:

- (a) Gazetted Officer of the Central or State Government,
- (b) Notary Public,
- (c) Company Secretary, Chartered Accountant, Cost & Works Accountant holding a certificate of Practice under the Company Secretaries Act, 1980, Chartered Accountants Act, 1949, and the Cost & Works Accountants Act, 1959 respectively:

Provided that in the case of foreign nationals residing outside India or foreign body corporate(s) registered outside India, the documents referred to in sub-rule (2) shall be duly certified and the provisions of sub-rule (2) of rule 34 of these rules, shall apply mutatis mutandis for this purpose.

(4) The Central Government shall process the application received for allotment of DPIN under sub-rule (1) and shall decide on the approval or rejection thereof and communicate the same along with the DPIN allotted in the case of approval to the applicant by way of a letter by post or electronically or in any other mode, within a period of thirty days from the receipt of such application.

(5) The Designated Partner Identification Number allotted under sub-rule (4) is valid for the lifetime of the applicant.

(6) Every Designated Partner shall, along with his consent to be a designated partner, intimate his or her DPIN to the Limited Liability Partnership in Form 9.

(7) (i) Every Designated Partner, who has been allotted a DPIN under these rules, in the event of any change in the particulars of such Designated Partner, shall intimate such change(s) to the Central Government within a period of 30 days of such change(s) in Form No. 10.

(ii) The Designated Partners shall attach certified copies of the proof of the changed particulars from any of the authorities specified in sub-rule (3).

(iii) There shall be no fee for intimating the change(s) of particulars in Form 10.

(8) The concerned designated partner, shall also intimate change(s) in particulars in Form 6 to the Limited Liability Partnership or Limited Liability Partnership(s) in which he is a designated partner within 15 days of such change(s).”;

(ii) for rule 12, the following shall be substituted, namely:-

“12. Where the intending partner is a body corporate, copy of Resolution on the letterhead of such body corporate to become a partner in the proposed LLP and a copy of resolution or authorization of such body corporate also on letterhead mentioning the name and address of an individual nominated to act as nominee or nominee & Designated Partner on its behalf shall be attached:

Provided that in the case of foreign nationals residing outside India or foreign body corporate(s) registered outside India, seeking to register a LLP in India, the name, address and signature of an individual or nominee or nominee & Designated Partner of a body corporate on the incorporation document, proof of identity, where required and documents referred in this rule, shall be duly certified and the provisions of sub-rule (2) of rule 34 of these rules, shall apply mutatis mutandis for this purpose.”;

(iii) in rule 21, for sub-rule (2), the following shall be substituted, namely:-

“For the purposes of sub-section (3) of section 23, every limited liability partnership shall get the limited liability partnership agreement, referred to in that sub-section, rectified by all the partners immediately after incorporation and shall file information contained therein in Form 3 with the Registrar within thirty days of the incorporation of the limited liability partnership alongwith the fee as provided in Annexure A.”;

(iv) in the Annexure, for Form 1, Form 2, Form 3, Form 4, Form 5, Form 6, and Form 7, the annexed Form 1, Form 2, Form 3, Form 4, Form 5, Form 6, and Form 7 shall be substituted ;

(v) in the Annexure ‘A’, in para 4, in item (b), for the letters and figures “Rs. 10,000”, the letters and figures “Rs. 5,000” shall be substituted.