

No. 66/XXXVI(3)/2019/12(1)/2019

Dated Dehradun, March 07, 2019NOTIFICATIONMiscellaneous

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of 'The Indian Partnership (Uttarakhand Amendment) Act, 2019' (Act No. 05 of 2019).

As passed by the Uttarakhand Legislative Assembly and assented to by the Governor on 05 March, 2019.

THE INDIAN PARTNERSHIP (UTTARAKHAND AMENDMENT) ACT, 2019
(Uttarakhand Act No. 05 of 2019)

An

Act

further to amend the Indian Partnership Act, 1932 (Act no. 09 of 1932) in its application to the State of Uttarakhand.

IT IS HEREBY enacted by the Uttarakhand State Legislative Assembly in the Seventieth year of the Republic of India as follows:-

Short title, extent and commencement

(1) This Act may be called The Indian Partnership (Uttarakhand Amendment) Act, 2019.

(2) It extends to the whole of the State of Uttarakhand.

(3) It shall come into force at once.

2. In the Indian Partnership Act, 1932, (hereinafter referred to as the Principal Act) Section 58 shall be substituted as follows, namely-

Substitution of Section 58

58. Application for registration:-

(1) The registration of a firm may be effected at any time by uploading on the website following statement in the prescribed online form and accompanied with prescribed fees to the Registrar of the area in which any place of business of the firm is situated or proposed to be situated, stating:-

- (a) the firm name,
- (b) the place or principal place of business of the firm,
- (c) the names of any other places where the firm carries on business,

- (d) the date when each partner joined the firm,
- (e) the names in full and permanent addresses of the partners, and
- (f) the duration of the firm.

The statement shall be digitally signed by all the partners or by their agents specially authorized in this behalf.

- (2) The applicant, signing the statement shall also upload to the website, verifying the statement recorded in the online format mentioned in sub-Section (1), verifying it in the affidavit certified by the Notary on the non-judicial stamp paper of Rs. 10/-.

- (3) The desired enclosure shall also be uploaded on website, by the applicant.

- (4) A firm name shall not contain the word Union, State, Land Mortgage, Land development, Cooperative, Gandhi, Reserve Bank or any of the words expressing or implying the sanction, approval or patronage of Government, except when the State Government signifies its consent to the use of such words as part of the firm name by order in writing.

- (5) The prescribed fee of registration shall be submitted online after the online approval given by the Registrar.

- (6) After submitting the prescribed registration fee the digitally signed registration certificate may be downloaded from the website by the applicant.

- 3. In Principal Act, Section 67 shall be substituted as follows, namely-

Substitution of Section 67

67. Grant of copies:-

The Registrar shall on online application furnish to any person, on payment of such fee as may be prescribed, a copy digitally certified under his hand of any entry or portion thereof in the register of firms.

- 4. In Principal Act, sub Section (1) of Section 68 shall be substituted as follows, namely-

Amendment of Section 68

68. Rules of Evidence:-

- (1) Any statement, intimation or notice recorded or noted in the register of Firms shall, as against any person by whom or on whose behalf such statement, intimation or notice was digitally signed, be conclusive proof of any fact therein stated.

By Order,

D.P. GAIROLA,
Principal Secretary.