

[TO BE PUBLISHED IN THE GAZETTE OF INDIA PART II, SECTION 3,
SUB SECTION (i), EXTRAORDINARY]

GOVERNMENT OF INDIA
Ministry of Corporate Affairs

Notification

New Delhi the 14th September, 2011

G.S.R. (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. Short title and commencement.-

- (1) These rules may be called the Limited Liability Partnership (Second Amendment) Rules, 2011.
- (2) They shall come into force with effect from the 15th September, 2011.

2. In the Limited Liability Partnership Rules, 2009, for Form 8, the following Form shall be substituted, namely:-

Form 8

Statement of Account & Solvency

[See rule 24]

Note – All fields marked in *are to be mandatorily filled.

*Annual or Interim ☐ Annual ☐ Interim

*Statement of Account and Solvency as at: 31/March/

*LLPIN/FLLPIN

☐ LLPIN

☐ FLLPIN

LLPIN

Pre-fill

Name of LLP

Part A: Statement of Solvency

We

being the designated partners or

authorized representatives of

name of LLP/FLLP

☐ name of LLP ☐ name of FLLP do solemnly affirm and sincerely declare that we have made a full inquiry into the affairs of this

☐ Limited Liability Partnership ☐ Foreign Limited Liability Partnership, and that, having done so, have formed the opinion that the

☐ Limited Liability Partnership ☐ Foreign Limited Liability Partnership, ☐ is ☐ is not able to pay its debts in full as they become due in the normal course of business.

We append a Statement of the Assets and Liabilities as at (DD/MM/YYYY) and Income and

Expenditure for the period ended on (DD/MM/YYYY) being the latest practicable date before the making of this declaration.

We append a Statement indicating creation of charges or modification or satisfaction thereof during the financial year.

We declare that the turnover ☐ does not exceed ☐ exceeds 40 lakh or the contribution

☐ does not exceed ☐ exceeds 25 lakh rupees. The partners/authorized representatives have taken proper care and

responsibility for maintenance of adequate accounting records and preparation of accounts in accordance with the provisions of the LLP Act and the Rules made thereunder.

We

being the authorized representatives of

(name of the foreign LLP) do solemnly

affirm and sincerely declare that we have made a full enquiry into the affairs of the limited liability partnership incorporated outside India, and that, having done so, have formed the opinion that such foreign limited liability partnership incorporated outside India is/is not able to pay its debts in full as they become due in the normal course of business.

We make this statement conscientiously believing it to be true, and by virtue of the provisions of the Limited Liability Partnership Act, 2008, the rules made thereunder.

Made on this _____ day of _____

Place :

Signature of Designated Partners of LLP
or authorized representatives (AR) of a Foreign LLP

DPIN/PAN

Signature of Designated Partners of LLP
or authorized representatives (AR) of a Foreign LLP

DPIN/PAN

Pre-fill

Pre-fill

Part B: Statement of Account

Statement of Assets and Liabilities of

as at _____ (DD/MM/YYYY) (period) (In Rupees_____)

Particulars	Figures as at the end of the current reporting period	Figures as at the end of the previous reporting period
1	2	3
I. CONTRIBUTION AND LIABILITIES		
(1) Partners' funds		
(a) Contribution	0	0
(b) Reserves and surplus (Surplus being the profit/loss made during the year)	0	0

(2) Liabilities		
(a) Secured loans	0	0
(b) Unsecured loans	0	0
(c) Short term borrowings	0	0
(d) Creditors/trade payables - Advance from customers	0	0
(e) other liabilities (to specify)	0	0
(f) Provisions		
(i) for taxation	0	0
(ii) for contingencies	0	0
(iii) for insurance	0	0
(iv) other provisions (if any)	0	0
TOTAL	0	0
II ASSETS		
(a) Fixed assets	0	0
(b) Investments	0	0
(c) Loans and advances	0	0
(d) Inventories	0	0
(e) Debtors/trade receivables	0	0
(f) Cash and cash equivalents	0	0
(g) other assets (to specify)	0	0
TOTAL	0	0

Notes:

(a) Contingent liabilities not provided for.

(b) The disclosures under provisions of section 22 of the Micro, Small and Medium Enterprises Development Act, 2006 may be added as attachment to this Form.

(c) Any other disclosures the LLP thinks proper to disclose.

Signature of Designated Partners of LLP
or authorized representatives (AR) of a Foreign LLP

DPIN/PAN

Signature of Designated Partners of LLP
or authorized representatives (AR) of a Foreign LLP

DPIN/PAN

Statement of Income and Expenditure

Statement of

for the period from

(DD/MM/YYYY) to

(DD/MM/YYYY)

Income	Current Year	Previous Year
Turnover	0	0
Other income (to specify)	0	0
Increase/(decrease) in stocks [including for raw materials, work in progress and finished goods]	0	0
TOTAL INCOME	0	0
Expenses		
Purchases	0	0
Personnel Expenses	0	0
Administrative expenses	0	0
Selling expenses	0	0
Depreciation	0	0
Interest	0	0
Other expenses (to specify)	0	0
Profit before taxes	0	0
Provision for Tax	0	0
Profit after Tax	0	0
Profit transferred to Partners' account	0	0
Profit transferred to Reserves and surplus	0	0

Note:-

(a) Turnover means the aggregate of the gross value of the realization made from the sales, supply or distribution of the goods or on account of services rendered or both during the financial year. The amount of total excise duty/service tax deducted from turnover shall be disclosed separately.

(b) Any other disclosures the LLP thinks proper to disclose.

Attachments :

(i) optional attachment.

Attachments

Attach

Remove attachment

Signature of Designated Partners of LLP or authorized
representatives (AR) of a Foreign LLP

DPIN/PAN

Signature of Designated Partners of LLP or authorized
representatives (AR) of a Foreign LLP

DPIN/PAN

Certificate by the Designated partner or the auditor

It is hereby certified that I have verified the particulars contained in the Statement of Account and Solvency including the
Statements of assets and liabilities as at (DD/MM/YYYY) and the income and expenditure for the period
ending (DD/MM/YYYY) from the accounting records and other books and papers of

(name of the LLP) and found them to be true and fair.

Name of the auditor/designated partner:

***Address**

*Line 1

Line 2

*City

*Country

*ISO Country Code

*State

*Pin Code

Phone

Fax

*Email ID

Membership number/DPIN*:

Digital Signature of Auditor/Designated Partner

Place:

Date:

Appendix to Statement of Account and Solvency

Particulars for creation or modification or satisfaction of charges by an LLP

1. *LLPIN

2. (a) This form is for

☐ creation of charge

☐ modification of charge

☐ satisfaction of charge

*(b) charge identification ID number of the charge to be modified or satisfied:

3. *Type of Charge

☐ Immoveable property

☐ Ship

☐ Any interest in immoveable property

☐ Goodwill

☐ Book debts

☐ Patent, licence under a patent

☐ Moveable property (not being pledge)

☐ Trade marks

☐ Floating charge

☐ Copyright or licence under copy right

☐ If others, specify

4. *Whether joint charge is involved

☐ Yes

☐ No

5. *Number of charge holders

6. Particulars of charge holders

CIN/LLPIN

*Name

*Address

*Line 1

Line 2

*City

*Country

*ISO Country Code

*State

*PIN Code

Phone

Fax

*Email ID

7. *Nature or description of instrument(s) creating or modifying the charge.

8. *Date of the instrument creating or modifying the charge (DD/MM/YYYY)

9. (a) *whether charge created or modified outside India: ☐ Yes ☐ No

(b) In case charge created or modified outside India on the property situated outside India, the date of receipt of the documents in India: (DD/MM/YYYY)

10. *Amount secured by charge in Rs.

11. Brief particulars of the principal terms and conditions and extent and operation of the charge

(a) *Rate of interest

(b) *terms of repayment

(c) *margin

(d) *extent and operation of the charge

(e) others

12. In case of acquisition of property, subject to charge, furnish the following details relating to existing charge on the property so acquired:

(a) date of instrument creating or evidencing the charge, (DD/MM/YYYY)

(b) description of the instrument creating or evidencing the charge,

(c) date of acquisition of the property, (DD/MM/YYYY)

(d) amount of the charge in rupees,

(e) particulars of the property charged.

13. *Short particulars of the property charged (including location of the property)

14. (a) *whether any of the property or interest therein under reference is not registered in the name of the company. ☐ Yes ☐ No

Note: If more than one charge holder involved, details of extent of charge, particulars of property charged, amount secured to be provided in attachment.

(b) If yes, in whose name it is registered

15. Date of latest modification prior to present modification: (DD/MM/YYYY)

16. Particulars of present modification

17. Date of satisfaction in full (DD/MM/YYYY)

Attachments :

- (i) instrument of creation or modification
- (ii) instrument evidencing creation or modification of charge in case of acquisition of property which is already subject to charge
- (iii) particulars of all joint charge holders
- (iv) letter of charge holder stating that the amount has been satisfied
- (v) optional attachment.

Attachments

Attach

Remove attachment

To be digitally signed by designated partner

DPIN

Modify

Check Form

Pre-scrutiny

This e-form has been taken on the file maintained by the Registrar through electronic mode and on the basis of certification of correctness given by filing LLP.

or

For office use only

This e-form is hereby approved

☐

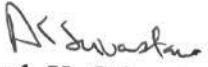
This e-form is hereby rejected

☐

Digital Signature of the authorizing officer

Submit to BO

[F No . 2/17/2011-CL V]


Avinash K. Srivastava,
Joint Secretary

Note:- The principal notification was published vide number G.S.R. 229(E), dated the 1st April, 2009 and last amended vide G.S.R. 506 (E), dated the 5.07.2011.