Service Information – Registration Department

Service Name: Registration of Partnership Firms under Indian Partnership Act 1932

A. General Information

The Indian Partnership Act, 1932 is an act enacted by the Parliament of India to regulate partnership firms in India. It came into effect on 1 October 1932. The act provides a framework for the formation, operation, and dissolution of partnership firms, which are one of the most common types of business entities in India where two or more people come together to carry on a business and share profits.

Here are some of the key provisions of the Indian Partnership Act, 1932:

- Definition of Partnership (Section 4): The Act defines partnership as "the relation between persons who have agreed to share the profits of a business carried on by all or any of them acting for all."
- Essential Elements of a Partnership: These include an agreement to carry on a business, sharing of profits, and mutual agency (the business must be carried on by all or any of them acting for all).
- Partnership Deed: While not mandatory, it is common practice to have a partnership deed that specifies the various terms and conditions agreed upon by the partners.
- Registration of Firms (Section 58): Registration of a partnership firm is not compulsory, but it provides certain legal benefits, such as the ability to file suits in courts against third parties and other partners.
- Relations of Partners (Sections 9-17): The Act outlines the rights and duties of partners, including the duty to indemnify for losses, the right to participate in the management, and the obligation to share profits and losses.
- Admission and Retirement of Partners (Sections 31-32): The Act allows for the admission of new partners and the retirement of existing partners, subject to the terms of the partnership deed or agreement among the partners.

- Minor as a Partner (Section 30): A minor cannot be a full partner with unlimited liability, but they may be admitted to the benefits of partnership with the consent of all the partners.
- Dissolution of Partnership (Sections 39-44): The Act provides various grounds for dissolution, including agreement among partners, compulsory dissolution (e.g., insolvency of a partner), and dissolution by court order under certain circumstances.
- Liability of Partners: Each partner is jointly and severally liable for the acts of the firm done while they are partners. This means that each partner is individually responsible for the entire debts of the firm as well as being collectively responsible with other partners.
- Settlement of Accounts (Section 48): Upon dissolution, the Act provides for the manner in which the accounts of the firm are to be settled among the partners.

#	Particulars	Details
1)	**Competent Authority**	Department of Registration
2)	**Type of Service**	Pre-Establishment
3)	**Act/Rule**	The Indian Partnership Act, 1932
4)	**Applicable Section**	Chapter VII – Registration of Firms.
5)	**Service mode**	Online only as mandated vide notification 07/03/2018 number 8/8/2018-I.D (Estt)/470.
6)	**GO Notification Copy**	Annexed
7)	**Service available through State Single Window System**	No
8)	**Service accessibility**	Goa to website https://partnership.goa.gov.in/. Click on Register as New User.
9)	**Registration Certificate validity**	This is a one-time Registration.
10)	**Provision of Deemed Approval**	Provision not available
11)	**Auto-renewal**	Not applicable
12)	**Auto-renewal notification link**	Not applicable

#	Particulars	Details
13)	**Additional Information**	Applicant / Investor can refer to the following links for details on • Reconstitution of Partnership Firms (https://registration.goa.gov.in/wp-content/uploads/2017/10/Flow-Chart-Reconstitution-of-Partnership-Firms.pdf) • Dissolution of Partnership Firms (https://registration.goa.gov.in/wp-content/uploads/2017/10/Flow-Chart-Disollution-of-Partnership-Firms.pdf)

B. Fee Details

1) **Applicable Fees (in INR):** Table below presents the Fees applicable under different scenarios.
2) **Fee Link:** https://registration.goa.gov.in/?page_id=20

Fees applicable			
#	**Type of Service**	**Fee Condition**	**Fees Applicable**
1.	New Registration	In case of Computerized Data	Registration Charges: Rs. 1000
2.			Processing Fee: NA
3.		In case of non-Computerized Data	Registration Charges: NA
4.			Processing Fee: NA
5.		Stamp Duty	Rs. 500 if no Capital Amount is mentioned
6.			Rs. 500 for every Rs. 50000 subject to max of Rs. 5000 where Capital Amount is mentioned
7.	Reconstitution of Firms under Section 63(1) and Rules 7(6)	In case of Computerized Data	Registration Charges: Rs. 75
8.			Processing Fee: NA
9.		In case of non-Computerized Data	Registration Charges: 75
10.			Processing Fee: NA

Fees applicable			
#	**Type of Service**	**Fee Condition**	**Fees Applicable**
11.	Dissolution of Partnership Firm	In case of Computerized Data	Registration Charges: Rs. 70
12.			Processing Fee: Rs. NA
13.		In case of non-Computerized Data	Registration Charges: Rs.70
14.			Processing Fee: NA

Penalty applicable: Penalties are applicable under Sections 59A-1, 69A, 70 may be referred of the Partnership Act. The same can be downloaded from the State portal i.e. https://partnership.goa.gov.in/.

C. Document Checklist

1) **Checklist of documents:** Following documents are required for Registration of Partnership Firms under Indian Partnership Act 1932.

#	Document	Mandatory / non-mandatory
a)	Certificate of Incorporation	Mandatory
b)	Statement under section 56	Mandatory
c)	Statement under Section 60	Mandatory
d)	Statement under Section 61 to 64	Mandatory
e)	Memorandum / Rules / Member Information	Mandatory
f)	ID Proof of all members	Mandatory
g)	Address proof	Mandatory

D. Service Timeline

1) **Service Timeline:** 7 days. The timeline is notified under Public Service Guarantee Act.
2) **Timeline Notification Link:** https://goaprintingpress.gov.in/downloads/1617/1617-11-SII-OG-0.pdf

(1)	(2)	(3)	(4)	(5)
140	Financial assistance to self help groups	Assistant Director (SD)	Fifteen days	Director of Social Welfare.
141	Financial assistance to kiosks	Assistant Director (SD)	Ten days	Director of Social Welfare.
142	Rajiv Awaas Yojna	Assistant Director (SD)	Ten days	Director of Social Welfare.
143	Stipend to the disabled	Assistant Director (WDA)	Ten days	Director of Social Welfare.
S–State Registrar & Notary Service				
144	Registration of a partnership firm under Indian Partnership Act, 1932	Civil Registrar/ Registrar of Firms	Seven days from the date of receipt of the application	District Registrar.
145	Returning of documents after registration under Indian Partnership Act, 1932	Civil Registrar/ Registrar of Firms	Third day from the date of registration	District Registrar.
146	Copy of marriage record for the first time under Codigo de Registo Civil in case of civil marriage (definitive)	Civil Registrar	On the day of final marriage registration	District Registrar.
147	Copy of marriage record on first	Civil Registrar	Next day after it	District Registrar.

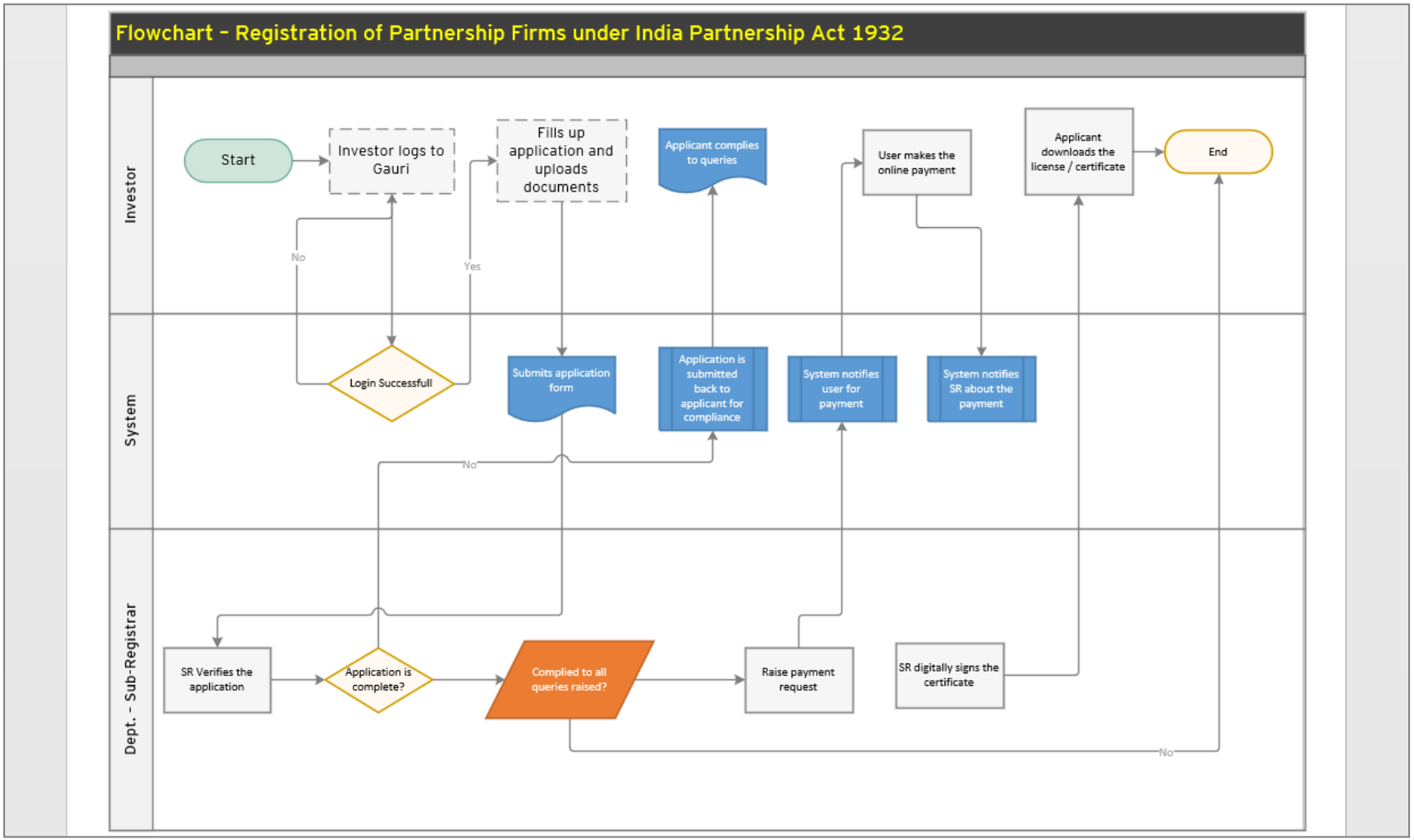
E. Step by Step Procedure

1) **Step by Step Procedure of online system:** Detailed step by step procedure is highlighted in the table below from the point of registration to approval.

#	Action by User Type	Stages/Steps	Time taken for approval	Fees Applicable
1.	User / Investor	Registers on the official Gauri portal for Partnership firms https://partnership.goa.gov.in/	__	__
2.		Logs in to the Gauri portal	__	__
3.		Fills up the application firm by providing Firm details, Branch details, Supporting documents and Partner details.	__	__
4.		Uploads desired documents as mentioned in section C of this document	__	__
5.	Single Window System	System generates an acknowledgement number which is further used for tracking by the user/investor	Real time	__
6.		System triggers an email and SMS to the user/investor with the acknowledgement number.	Real time	__
7.	Department	*Note:* The application is marked to the concerned Taluka Sub-registrar. Application will reflect on the concerned Sub-registrar Dashboard.	__	__
8.		Sub-Registrar will do a compliance check on the application with the pre-filled parameters in the system and if not found okay, it is marked for	__	__

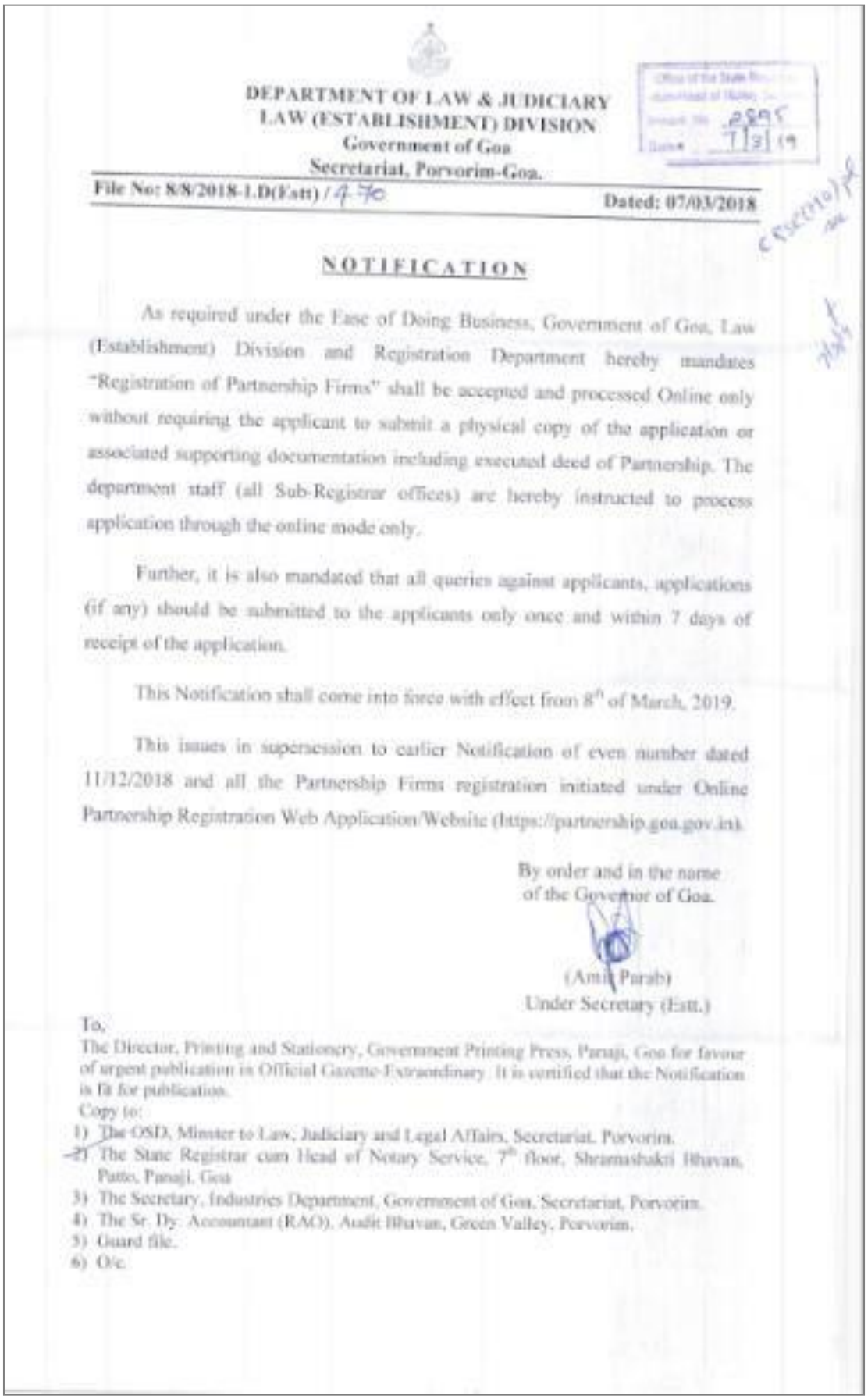
#	Action by User Type	Stages/Steps	Time taken for approval	Fees Applicable
		compliance to user or else confirms the compliance check.		
9.		Upon successful compliance check, SR approves the application for payment.		
10.	System	System triggers and email and SMS to the user / investor for payment.	Real time	__
11.	User / Investor	Makes online payment as per the fee schedule which is auto calculated in the online system	__	The fee is calculated based on the logic provided in Fee section above.
12.	System	Post payment the SR gets and notification.	__	__
13.	Department	SR verifies the payment.	__	__
14.		SR digitally signs the application.	7 working days	__
15.	System	System triggers and email and SMS to the user / investor for downloading the certificate.	Real time	__
16.	User / Investor	User / Investor logs in to download the Certificate	__	__

2) Process Flow:



Additional Remarks: The procedural steps indicated above is uniform for all types of establishments, irrespective of risk category, size of firm, business location or type of investor (Foreign or Domestic).

Annexure - Online Mandate Notification



DEPARTMENT OF LAW & JUDICIARY
LAW (ESTABLISHMENT) DIVISION
Government of Goa
Secretariat, Porvorim-Goa.

File No: 8/8/2018-LD(Estt) / 470 Dated: 07/03/2018

NOTIFICATION

As required under the Ease of Doing Business, Government of Goa, Law (Establishment) Division and Registration Department hereby mandates "Registration of Partnership Firms" shall be accepted and processed Online only without requiring the applicant to submit a physical copy of the application or associated supporting documentation including executed deed of Partnership. The department staff (all Sub-Registrar offices) are hereby instructed to process application through the online mode only.

Further, it is also mandated that all queries against applicants, applications (if any) should be submitted to the applicants only once and within 7 days of receipt of the application.

This Notification shall come into force with effect from 8th of March, 2019.

This issues in supersession to earlier Notification of even number dated 11/12/2018 and all the Partnership Firms registration initiated under Online Partnership Registration Web Application/Website (https://partnership.goa.gov.in).

By order and in the name
of the Governor of Goa.

(Amit Parab)
Under Secretary (Estt.)

To,
The Director, Printing and Stationery, Government Printing Press, Panaji, Goa for favour of urgent publication in Official Gazette-Extraordinary. It is certified that the Notification is fit for publication.

Copy to:
1) The OSD, Minister to Law, Judiciary and Legal Affairs, Secretariat, Porvorim.
2) The State Registrar cum Head of Notary Service, 7th floor, Shramshakti Bhavan, Patto, Panaji, Goa
3) The Secretary, Industries Department, Government of Goa, Secretariat, Porvorim.
4) The Sr. Dy. Accountant (RAO), Audit Bhavan, Green Valley, Porvorim.
5) Guard file.
6) O/c.