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ABOUT THIS DOCUMENT

This Instruction Kit is designed as a step by step guide to assist the user in filling up the web form. This document provides references to law(s) governing the web form, guidelines to access the application, instructions to fill the web form at field level and important check points while filling up the web form along with other instructions to fill the web form.

User is advised to refer to the respective instruction kit for filing of each web form.

This document is divided into following sections:



Part I – Law(s) governing the webform



Part II– Accessing the LLP Form No. 5 application



Part III – Instructions to fill the web form



Part IV – Key points for successful submission

Click on any section link to refer to the particular section.

1 PART I – LAW(S) GOVERNING THE WEBFORM

Pursuant to Section 19 of The Limited Liability Partnership Act, 2008 read with Rule 20 (2) of Limited Liability Partnership Rules, 2009.

1.1 Purpose of the webform

The webform LLP Form No.5 aims to simplify the process of filing an application by an existing LLP for change of name to Registrar of companies (RoC) by the user. For changing the name, LLP is required to have a name reserved through RUN- LLP service.

1.2 Important Check Points while filling up the webform

- ✓ Please read instructions and guidelines carefully before filling online application forms.
- ✓ Please attach the required mandatory supporting documents in the specified format only.
- ✓ Please ensure that applicant of the webform is registered at the MCA portal before filing the webform.
- ✓ Please note that the LLP for which the webform is being filed shall be registered with MCA and shall have a valid LLPIN.
- ✓ Please ensure that the DSC attached in the webform is associated with the LLP for which the webform is being filed.
- ✓ Please ensure that in case of change in name of LLP, this form is to be filed along with filing of LLP Form No. 3 as a linked form to it for change in LLP agreement.
- ✓ Please ensure that the DSC attached in the webform is registered on MCA portal against the DIN/DPIN/PAN/Membership number as provided in the form..
- ✓ Please note that the signing authority of the webform shall have valid and non-expired/non-revoked DSC.
- ✓ Please ensure that DIN/DPIN provided in LLP Form No. 5 (if required) is approved.
- ✓ Please ensure that the SRN of RUN-LLP provided in the webform is valid and approved. Name reserved against the entered SRN should not have been expired/withdrawn.
- ✓ Please ensure that in case SRN of Form 3 is entered in the form, then that SRN is of Form 3 should have been filed for 'Change in business activities' of the same LLP.
- ✓ Please ensure that the no other form 5 is pending against the LLPIN
- ✓ Please note that in case of resubmission, application of the Form 5 shall be available in the application history of the user and T+30 days (where T is the date of marking the application as 'Resubmission Required') should not have elapsed.
- ✓ If the space within any of the fields is not sufficient to provide all the information, then additional details can be provided as an optional attachment to the webform.
- ✓ Please check for any alerts that are generated using the "Notifications and alerts" function under the 'My Workspace' page in the FO user dashboard on the MCA website.

2 PART II – ACCESSING THE LLP Form No. 5 APPLICATION

2.1 Application Process for LLP Form No. 5

2.1.1 Initial Submission

2.1.1.1 Option 1

STEP 1: Access MCA homepage

STEP 2: Login to MCA portal with valid credentials¹

STEP 3: Select “MCA services” and further select “E-Filing”

STEP 4: Select “LLP Forms Download” module

STEP 5: Navigate to the header “Change in name”

STEP 6: Access “Notice for change of name”

STEP 7: Enter LLP Information²

STEP 8: Search LLPIN using the search option (optional)³

STEP 9: Select LLPIN from the dropdown option (optional)⁴

STEP 10: Fill up the application

STEP 11: Save the webform as a draft (optional)⁵

STEP 12: Submit the webform

STEP 13: SRN is generated upon submission of webform (The SRN can be used by the user for any future correspondence with MCA.)

STEP 14: Affix the DSC

STEP 15: Upload the DSC affixed pdf document on MCA portal

STEP 16: Pay Fees (In case the user does not successfully upload the DSC affixed PDF within 15 days of SRN generation and complete the payment within 7 days of successful upload of DSC affixed document or due date of filing of the form + 2 days, whichever is earlier, the SRN will be cancelled)

STEP 17: Acknowledgement is generated

2.1.1.2 Option 2

STEP 1: Access MCA homepage

STEP 2: Access LLP Form No. 5 through search bar on MCA homepage (website search)⁶

¹ In case Option 1 is selected, the user will have an option to either login immediately after accessing the MCA homepage, or login after selecting “Notice for change of name” in case the user is not already logged in.

² In case the user filling the webform is an LLP user then, LLPIN and LLP name will be auto-populated based on the user id from which the user logs in.

³ In case the user filling the webform is a Professional user, a search option will be provided on the page allowing the user to search for LLPIN basis name of LLP.

⁴ In case the user filing the webform is any other business user, a dropdown option containing a list of all the LLPINs⁷ and corresponding LLP name for LLPs where the user is associated shall be displayed.

⁵ The option to save the webform as a draft shall be enabled once the user enters the “LLPIN”.

- STEP 3:** Login to MCA portal with valid credentials
- STEP 4:** Enter LLP Information²
- STEP 5:** Search LLPIN using the search option (optional)³
- STEP 6:** Select LLPIN from the dropdown option (optional)⁴
- STEP 7:** Fill up the application
- STEP 8:** Save the webform as a draft (optional)⁵
- STEP 9:** Submit the webform
- STEP 10:** SRN is generated upon submission of webform (The SRN can be used by the user for any future correspondence with MCA.)
- STEP 11:** Affix the DSC
- STEP 12:** Upload the DSC affixed pdf document on MCA portal
- STEP 13:** Pay Fees (In case the user does not successfully upload the DSC affixed PDF within 15 days of SRN generation and complete the payment within 7 days of successful upload of DSC affixed document or due date of filing of the form + 2 days, whichever is earlier, the SRN will be cancelled)
- STEP 14:** Acknowledgement is generated

2.1.2 Resubmission

2.1.2.1 Option 1

- STEP 1:** Access MCA homepage
- STEP 2:** Login to MCA portal with valid credentials
- STEP 3:** Access application history through user dashboard
- STEP 4:** Select Form 5 application with status as 'Resubmission required'
- STEP 5:** Fill up the application
- STEP 6:** Save the webform as a draft (optional)
- STEP 7:** Submit the webform
- STEP 8:** SRN is updated
- STEP 9:** Affix the DSC
- STEP 10:** Upload the DSC affixed pdf document on MCA portal⁷
- STEP 11:** Resubmission of webform (In case the user does not complete re-submission of the form and upload the DSC affixed pdf document within 24 hours of the SRN update, a SMS and email reminder will be sent to the user daily for 30 days OR till the time this is submitted, whichever is earlier)
- STEP 12:** Acknowledgement is generated

2.1.2.2 Option 2

- STEP 1:** Click on the link provided in the notification email sent (received for resubmission)
- STEP 2:** Login to MCA portal with valid credentials
- STEP 3:** Fill up the application
- STEP 4:** Save the webform as a draft (optional)⁵

⁶ In case Option 2 is selected, the user will have an option to either login immediately after accessing the MCA homepage or login after performing the website search.

⁷ For the SRN's that are marked 'Resubmission required', the user is required to update the details in the web-form and complete submission (including the upload of DSC affixed pdf) within 30 days from the date the BO user has sent the SRN back for resubmission.

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STEP 5: Submit the webform

STEP 6: SRN is updated

STEP 7: Affix the DSC

STEP 8: Upload the DSC affixed pdf document on MCA portal⁷

STEP 9: Resubmission of webform (In case the user does not complete re-submission of the form and upload the DSC affixed pdf document within 24 hours of the SRN update, a SMS and email reminder will be sent to the user daily for 15 days OR till the time this is submitted, whichever is earlier)

STEP 10: Acknowledgement is generated

3 PART III – INSTRUCTIONS TO FILL THE WEB FORM

3.1 Specific Instructions to fill 'LLP Form No. 5' at Field Level

Instructions to fill 'LLP Form No. 5' are tabulated below at field level. Only important fields that require detailed instructions are explained. Self-explanatory fields are not explained.

Field No.	Field Name	Instructions
1	Limited Liability Partnership Identification number (LLPIN)	i. Enter a valid and active LLPIN. ii. LLPIN shall be pre-filled based on the LLP information entered by the user. iii. A search option shall also be provided to search the LLPIN basis the name of the LLP. Either the full name of the LLP or partial name can be used to search the LLPIN.
2 (a)	Name of the Limited Liability Partnership (LLP)	Name of the Limited Liability Partnership (LLP) shall be pre-filled based on the LLPIN entered in field number 1 and the user shall not be allowed to edit this field.
2 (b)	Service Request Number (SRN) of RUN	Enter a valid and approved SRN of RUN-LLP form.
2 (c)	New name of LLP after change	New name of LLP after change shall be pre-filled based on the SRN of RUN-LLP webform entered in field number 2 (b) and the user shall not be allowed to edit this field.
2 (d)	Address of registered office of the LLP	Address of registered office of the LLP shall be pre-filled based on the LLPIN entered in field number 1 and the user shall not be allowed to edit this field.
2 (e)	Jurisdiction of Police Station	i. This field shall be pre-filled based on the LLP master (incase available). In other cases, user has an option to manually enter 'Jurisdiction of Police Station'. ii. ~, ^ and Non-ASCII code values are not allowed.
2 (f)	Email ID of the LLP	Email ID of the LLP shall be pre-filled based on the LLPIN entered in field number 1 and the user shall not be allowed to edit this field.
4 (a)	Clause Reference number of the LLP Agreement	i. Enter the Clause Reference number of the LLP Agreement. ii. This field shall be enabled and mandatory in case option 1 i.e. 'Based on the procedure laid down in the LLP agreement' is selected in field number 4 i.e. 'Whether change in name is'.
4 (b)	Relevant extract of the LLP agreement	i. Enter the Relevant extract of the LLP agreement ii. This field shall be enabled and mandatory in case option 1 i.e. 'Based on the procedure laid down in the LLP agreement' is selected in field number 4 i.e. 'Whether change in name is'.

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Field No.	Field Name	Instructions
5	Date on which consent of partners was taken under sub-rule (1) of Rule 20 (DD/MM/YYYY)	In case change of name of LLP is undertaken with the consent of all partners, enter the date on which consent of partners was taken.
	Attachments:	All the attachments shall be either in pdf or .jpeg/.jpg format up to 2 MB.
	Consent of Partners	This field shall be enabled and displayed in case option 2 i.e. 'With consent of all partners' is selected in field number 4 i.e. 'Whether change in name is'.
	Copy of the minutes of decision/ resolution/ consent of partners	This field shall be enabled and displayed in case option 1 i.e. 'Based on the procedure laid down in the LLP agreement' is selected in field number 4 i.e. 'Whether change in name is'.
	Copy of the direction received from Central Government	This field shall be enabled and displayed in case option 3 i.e. 'Based on the direction from Central Government' is selected in field number 4 i.e. 'Whether change in name is'.
	Copy of the direction received from Registrar	This field shall be enabled and displayed in case option 4 i.e. 'Based on the direction from Registrar' is selected in field number 4 i.e. 'Whether change in name is'.
	Optional attachment(s) - if any	i. This field can be used to provide any other information. ii. Please note that the user has an option to upload up to five optional attachments.
	Statement	
	To be digitally signed by a designated partner	i. Webform shall be digitally signed by Designated Partner (DP) of the LLP.
	DIN/DPIN of the designated partner	ii. Enter a valid DIN / DPIN of one of the Designated partners of the LLP.
	Certificate	
	To be digitally signed by:	i. The webform shall be certified by a chartered accountant (in whole-time practice) or cost accountant (in whole-time practice) or company secretary (in whole-time practice) by digitally signing the webform.
	Whether associate or fellow	ii. Select the relevant category of the professional and whether he/ she is an associate or fellow. iii. In case the professional is a chartered accountant (in whole-time practice) or cost accountant (in whole-time practice), enter the membership number.
	Membership number or certificate of practice number	iv. In case the practicing professional is a company secretary (in whole-time practice), enter the certificate of practice number.

3.2 Other instructions to fill ‘LLP Form No. 5’

Buttons	Particulars
Choose File	i. Click the ‘Choose File’ button to browse and select a document that is required to be attached as a supporting to LLP Form No. 5. ii. All the attachments should be uploaded in pdf or .jpg format up to 2 MB. iii. The user has an option to attach multiple files as attachments within the form.
Remove	The user has an option to remove files from the attachment section using the “Remove” option provided against each attachment.
Download	The user has an option to download the attached file(s) using the “Download” option provided against each attachment.
Save	i. Click on Save button for saving the application in a draft form at any given point in time prior to submitting the web form. ii. The ‘Save’ option will be enabled only after entering the ‘LLPIN’. iii. This is an optional field. iv. On saving the webform, all the information filled in the webform will be saved and can be edited/updated till the time webform is submitted. v. The previously saved drafts can also be accessed (at a later point in time) using the application history functionality.
Submit	i. This is a mandatory field. ii. When the user clicks on the submit button the details filled in the webform are auto saved and the system verifies the webform. Incase errors are detected the user will be taken back to webform and all the relevant error messages shall be displayed. iii. In case at the submission of webform no errors are detected by the system the submission will be successful.

4 PART IV – KEY POINTS FOR SUCCESSFUL SUBMISSION

4.1 Fee rules

S#	Purpose of webform	Normal Fee	Additional (Delay Fee)	Logic for Additional Fees	
				Event Date	Time limit (days) for filing
1	Notice for Change of Name	Fee specified in Limited Liability Partnership Rules, 2009 (Refer Table 1 below)	Refer Table 2 below	Within 30 days from date on which consent of partners was taken under sub-rule (1) of Rule 20.	NA

Fee payable is subject to changes in pursuance of the Act, or any rule or regulation made, or notification issued thereunder.

4.2 Limited Liability Partnership Rules, 2009

Table 1

S#	Contribution Amount (INR)	Normal Fee applicable (INR)
1	Up to 1,00,000	50
2	More than 1,00,000 up to 5,00,000	100
3	More than 5,00,000 up to 10,00,000	150
4	More than 10,00,000	200
5	More than 25,00,000 up to 100,00,000	400
6	More than 100,00,000	600

Table 2- Additional Fees in case of delay in filing of forms

S#	Period of delay	Additional fee payable for Small LLPs (INR)	Additional fee payable for Other than Small LLPs (INR)
1	Up to 15 days	1 times of normal filing fees	1 times of normal filing fees
2	More than 15 days and up to 30 days	2 times of normal filing fees	4 times of normal filing fees
3	More than 30 days and up to 60 days	4 times of normal filing fees	8 times of normal filing fees
4	More than 60 days and up to 90 days	6 times of normal filing fees	12 times of normal filing fees
5	More than 90 days and up to 180 days	10 times of normal filing fees	20 times of normal filing fees

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S#	Period of delay	Additional fee payable for Small LLPs (INR)	Additional fee payable for Other than Small LLPs (INR)
6	More than 180 days and up to 360 days	15 times of normal filing fees	30 times of normal filing fees
7	Beyond 360 days	25 times of normal filing fees	50 times of normal filing fees

Refer section [2\(1\)\(ta\)](#) of Limited Liability Partnership Act, 2008 for definition of Small LLP.

4.3 Processing Type

LLP Form No. 5 shall be processed in Non-STP mode.

4.4 Useful links

1. Link to access LLP Form No. 5: <https://www.mca.gov.in/MinistryV2/llpformsdownload.html>
2. FAQ's related to e-filing: <https://www.mca.gov.in/MinistryV2/efiling.html>
3. Payment and Fee related Services: <https://www.mca.gov.in/MinistryV2/paymentservices.html>