General Circular No. 13/2013

F.No. 1/13/2012-CL-V
Government of India
Ministry of Corporate Affairs
5th Floor, A Wing, Shastri Bhavan
Dr. R.P. Road, New Delhi-110 001.
Dated 29th July,2013

All the Regional Directors,

All the Registrar of Companies / Official Liquidators,

All Stakeholders,

Sub: Whether Hindu Undivided Family (HUF) / its Karta can become partner/Designated Partner (DP) in Limited Liability Partnership (LLP).

Sir,

It has come to the notice of the Ministry that some Hindu Undivided Families (HUFs) / Kartas of such families are applying to become partner/ Designated partner (DP) in LLPs and a question has arisen whether a 'HUF' or a karta can be allowed to do so. The matter has been examined in consultation with Ministry of Law.

2. As per section 5 of LLP Act, 2008 only an individual or body corporate may be a partner in a Limited Liability Partnership. A HUF cannot be treated as a body corporate for the purposes of LLP Act, 2008. Therefore, a HUF or its karta can not become designated partner in LLP.

3. This issues with the approval of Secretary, MCA

Yours faithfully,

(J N Tikku)
Joint Director

Copy to:
1. All Concerned.
2. PS to CAM.
3. PPS to Secretary, Additional Secretary, Joint Secretaries

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