

Indian Partnership (Rajasthan Amendment) Act, 1971

RAJASTHAN

India

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Act 10 of 1971

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Indian Partnership (Rajasthan Amendment) Act, 1971 Act No. 10 of 1971 [Received the assent of the President on the 29th day of May, 1971] An Act further to amend to Indian Partnership Act, 1932 in its application to the State of Rajasthan. Be it enacted by the Rajasthan state Legislature in the Twenty second Year of the Republic of Indian as follows:-

1. Short title, extent and commencement.

(1) This Act may be called the Indian Partnership (Rajasthan Amendment) Act, 1971. (2) It extends to the whole of the State of Rajasthan. (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Amendment of Section 58, Central Act IX of 1932.

- For subsection (3) of Section 58 of the Indian Partnership Act, 1932 (Central Act IX of 1932) hereinafter referred to as the principal Act, the following sub-sections shall be substituted namely:- "(3) No firm shall be registered by a name which, in the opinion of the State Government, is undesirable. (4) Except with the previous sanction in writing of the State Government, no firm shall be registered by a name which contains any of the following words, namely:- (a) 'Union', 'State', 'President', 'Republic' or any word expressing or implying the sanction, approval or patronage of the Central or any State Government: and (b) 'Municipal', 'Chartered' or any word which suggests or is calculated to suggest connection, with any municipality or other local authority: Provided that nothing in this sub-section shall apply to any firm registered before the date of the commencement of Indian Partnership (Rajasthan Amendment) Act, 1971."

3. Substitution of new Schedule for Schedule 1 to Central Act IX of 1932.

- Substituted by Rajasthan Act No. 8 of 1996, hence not reproduced. Law & Judicial (A) Department [Notification No. F.11(160)-LJ (A)/57 October 30, 1957. Published in Rajasthan

Raj-Patra. Extraordinary. Part IV-C. dated 30-10-1957, P. 105.]In exercise of the powers conferred by Section 120 of the States Re-organisation Act, 1956 (Central Act 37 of 1956) and of all other powers enabling it in this behalf the Government of Rajasthan hereby makes the following Order, namely:-

1.

(1)This Order may be called the Indian Partnership Act (Adaptation) Order, 1957.(2)It shall come into force at once.

2. In the Indian Partnership Act, 1932 (Central Act IX of 1932), after Section 59, the following new section shall be inserted, namely:-

"59 A. Deletion and addition of entries relating to certain firms by reason of re-organisation of States. - (1) Notwithstanding anything contained in this Chapter, the Registrar of Firms appointed for any area by the Government of Rajasthan may, by order in writing, amend the register of firms maintained by him by deleting therefrom the entries relating to any firm whose place of business has, by reason of the re-organisation of States in accordance with the States Re-organisation Act, 1956 (Central Act 37 of 1956) ceased to be situated in the State of Rajasthan.(2)The Registrar may likewise and without charging any fee therefor amend the .register by adding thereto the entries relating to any firm included in the register of another State but whose place of business has, by reason of such re-organisation, become part of the area within his jurisdiction in the State of Rajasthan.(3)The Registrar shall, before passing any order under sub- section (1) of sub-section (2), make such inquiry as he deems necessary and give notice to the firm and the Registrar of the State concerned.(4)After such amendment, the Registrar shall cease to perform the functions of a Registrar in respect of any firm the entries relating to which have been deleted as aforesaid and shall perform all the functions of a Registrar in respect of any firm the entries relating to which are added as aforesaid.(5)Any person aggrieved by an order made under sub-section (1) or sub-section (2) may appeal to such authority and within such time as may be specified in this behalf by the Government of Rajasthan by notification in the Official Gazette and such authority shall pass such order on the appeal as it thinks fit.(6)An order of the Registrar made under sub-section (1) or subsection (2) or, where an appeal has been preferred against it under sub-section (3), the order of the appellate authority shall be final.(7)The provisions of this section shall cease to be in force from such date as the Government of Rajasthan may, by notification in the Official Gazette, appoint.