

DSE (stream)- Commercial Law and Corporate Governance

Limited Liability Partnership: Law and Practice

Course title & Code	Credits	Credit distribution of the course			Eligibility criteria	Pre-requisite of the course (if any)
		Lecture	Tutorial	Practical/ Practice		
Limited Liability Partnership: Law and Practice	4	3	1	0	PASS IN XII	NIL

Learning Objectives-

The course aims to impart knowledge of provisions of law and corresponding rules related to Limited Liability Partnership. Case studies and problems involving issues in LLP are required to be discussed.

Learning Outcomes:

The learners will be able to

1. explain the benefits available to partners in carrying out business in the LLP form of business
2. describe the process and effect of registration of LLP
3. explain the relationship of partners inter se and the relationship of partners with LLP
4. comprehend various provisions related to contribution and financial disclosures
5. enumerate the process of conversion of existing business entities into LLP

Unit 1: Nature of Limited Liability Partnership (10 hours)

Introduction to LLP, administrative mechanism, salient features, small LLP, the difference between LLP and partnership firm, the difference between LLP and company.

Unit 2: Incorporation of LLP (10 hours)

Incorporation by registration, incorporation document, LLP agreement, online registration of LLP, the effect of registration, name of LLP and change therein, rectification of name, registered office and change therein.

Unit 3: Partners, their relations and liabilities (10 hours)

Eligibility to be a partner, eligibility to be a designated partner, relationship of partners, cessation of the partnership interest, registration of changes in partners, extent of liability of LLP, extent of liability of partner, whistleblowing.

Unit 4: Contribution and Financial Disclosures (15 hours)

Form of contribution, obligation to contribute, maintenance of books of accounts, other records and audit, statement of accounts and solvency, and annual return. Process of conversion of a firm, a private company, unlisted public company into LLP, winding up and dissolution, winding up by the tribunal

Exercises:

The learners are required to:

1. Prepare a list of factors which make LLP a hybrid form of organization
2. Check availability of name using 'check LLP name service' on the MCA portal.
3. Examine the FiLLiP web form from notification on the MCA portal and enlist the mandatory fields.
4. Explore the significance of designated partner identification number (DPIN) and examine various fields in relevant forms.
5. Enlist mandatory fields related to accounts and solvency from form 'Statement of Account and Solvency and Charge filing' accessed from notification on MCA portal
6. Collect data related to conversion from latest monthly information bulletin available on MCA portal.

Essential/ Recommended readings

- Jain, D. K., & Jain, I. (2021). Law & Procedure of Limited Liability Partnership. Bharat Law House Pvt Ltd.
- Kuchhal, M. C. (2018). Business Laws. New Delhi. Vikas Publishing House.
- Sharma, J. P., & Kanojia, S. (2019). Business Laws. New Delhi. Bharat Law House Pvt. Ltd.
- Singh, A. (2008). The Principles of Mercantile Law. Lucknow. Eastern Book Company.
- Tulsian, P. C., & Tulsian, B. (2017). Business Law. New Delhi. Tata McGraw Hill.

Suggestive Readings

- Maheshwari, S.K., & Maheshwari, S. N. (2014). Business Law. Himalaya Publication House New Delhi.

Note: Readings will be updated by the Department of Commerce and uploaded on Department's website.

Note: Examination scheme and mode shall be as prescribed by the Examination Branch, University of Delhi, from time to time.