

## CHANGE OF NAME OF PARTNERSHIP FIRM

### Instruction for filling-up documents related to Change in Name

Sr. No	Document Ref. No.	Particulars	Compliance (Yes /No)
1	CNP-1	<p><b>Debit instruction to debit Settlement A/c towards processing charges of Rs. 5515/- (Rs. 5,000/- along with Service Tax @ 10.30%) for name change per Circular No. MCX/MEM/151/2007 dated April 20, 2007</b></p> <p><b>In case of Trading Member, demand draft favoring “Multi Commodity Exchange of India Limited” to be submitted</b></p>	
2	CNP-2	<b>Letter (on old letterhead) intimating the change in name by the Member to MCX as per the prescribed format is submitted.</b>	
i.		Is letter submitted on the letterhead of the Partnership Firm entity having old name	
ii.		Is the letter dated	
iii.		Date of name change mentioned in the Partnership Deed (Supplementary Deed) matches with the date mentioned in the letter.	
iv.		Is letter duly signed by the Managing Partner under the Rubber Stamp of the Partnership Firm	
3	CNP-3	<b>Certified copy of the Approval received from Registrar of Firm approving change of name</b>	
4	CNP-4	<b>Copy of the Rectification / Supplementary Deed for name change</b>	
i.		Is the copy of Rectification / Supplementary Deed certified by the Managing Partner under the rubber stamp of the Partnership Firm	
ii.		Partnership Main objects of the Partnership Deed should include dealing in commodities	
5	CNP-5	<b>Copy of PAN Card in the new name of the Partnership Firm duly certified by the Managing Partner of the firm.</b>	
6	CNP-6	<b>Letter of undertaking cum Indemnity by the Member to MCX on Stamp Paper of Rs. 300/- and to be Notarised duly signed and stamped by the Managing Partner of the Partnership Firm.</b>	
i.		Is Undertaking submitted on stamp paper of Rs. 300/-	
ii.		Non-judicial stamp paper is purchased in the name of the Member.	
iii.		Undertaking is Notarized.	

Sr. No	Document Ref. No.	Particulars	Compliance (Yes /No)
iv.		The date of execution of undertaking should not be before the date of stamp paper purchase date by the Member / franking date.	
v.		Undertaking is duly signed by the Managing Partner under the rubber stamp on each and every page.	
vi.		Undertaking is submitted in the prescribed format of the Exchange.	
7	CNP-7	<b>Intimation of Settlement and Client account nos. in the New name of the Partnership Firm (To be submitted after approval of Exchange/FMC)</b> <b>(Only Client Account Numbers in case of Trading Member)</b>	
i.		The Letter for the Client and Settlement Account numbers from the Bank is on the letter head of the Bank	
ii.		Bank Letter is addressed to Exchange	
iii.		The Title of the Bank A/c is	
iv.		Trade Name of Member-MCX Client A/c	
v.		Trade Name of Member-MCX Settlement A/c	
vi.		Bank letter contain Name of the Branch where the A/c is opened.	
vii.		Bank Letter is signed by the Authorised Signatories of the Bank.	
8	CNP-8	<b>Letter from Bank to MCX confirming the change of name in</b> <ul style="list-style-type: none"> <li>• <b>Fixed deposits /</b></li> <li>• <b>Bank Guarantees and</b></li> <li>• <b>Pledge deed in the new name for the warehouse receipts submitted to us (if any) on stamp paper of Rs. 300/- (refer Circular no. MCX/258/2005 dated July 18, 2005)</b></li> <li>• <b>In case the member has a DP account with custodian (HDFC Securities), then the members is required to do the name change process at DP level and intimate the Exchange</b></li> </ul> <b>(To be submitted after No objection from Exchange/FMC)</b>  <b>CNP 8 – Not applicable in case of a Trading Member</b>	

<b>9</b>	<b>CNP-9</b>	<b>Membership Certificate with the old name to be returned</b>	
i.		Existing (Old) Name of the MCX member entity (mention name) -	
ii.		New Name of the MCX member entity (mention name)	
<b>10</b>	<b>CNP-10</b>	<b>Business Undertaking</b>	
i.		Business Undertaking should be on the new letterhead of the firm/company.	
ii.		Is Business Undertaking is in Format	
iii.		Name of the member and name of the Designated Director mentioned in the first paragraph of the Undertaking.	
iv.		Signed under the rubber stamp of the company/authorized signatories by the Designated Directors.	
v.		Date and Place should be mentioned in the Business Undertaking	
<b>11</b>	<b>CNP-11</b>	<b>No Dues Undertaking</b>	
i.		No Dues Undertaking should be on the old letterhead of the firm/company.	
ii.		Is No Dues Undertaking is in Format	
iii.		Name of the member entity who applied for name change mentioned in the first paragraph of the Undertaking.	
iv.		Signed by the Managing Partner under the rubber stamp of the company	
v.		No dues undertaking is certified by the Chartered Accountant.	
vi.		The details of the Chartered Accountant such as Name of the firm, name of the Proprietor/Partner signing the certificate and Membership no. of the Chartered Accountant mentioned	
vii.		The rubber stamp of the Chartered Accountant affixed	
viii.		Date & Place is mentioned	

**Important Information:**

1. If Settlement and Client account Nos. are opened with new bank (Refer Circular No.MCX/173/2005 dated May 6, 2005 for procedure for shifting of Clearing Bank). For further details please contact Clearing & Settlement department
2. Kindly refer Circular No. 166 Dated 18-04-2006 for Name of the new entity does not have word Comex / Comdex / Exchange.
3. As per directive of FMC dated December 21, 2009, members are advised that name of new entity does not have word 'Stock, Scurity or Share".
4. CNP-8 – Members are requested to refer the formats CNI-8A and CNI-8B before submission. For further details please contact Clearing & Settlement department

**DEBIT INSTRUCTION LETTER**

Date:

To,  
Multi Commodity Exchange of India Ltd.  
Membership Department,  
Exchange Square, CTS No. 255,  
Gundavali, Suren Road, Chakala,  
Andheri (East),  
Mumbai – 400 093.

Dear Sir

Subject: **Debit instruction**

We hereby request you to debit Rs.\_\_\_\_\_ along with Service Tax @ 10.30% from our Settlement A/c. No\_\_\_\_\_ with \_\_\_\_\_ Bank towards change of name from\_\_\_\_\_ to \_\_\_\_\_ as per Circular No.MCX/MEM/151/2007 dated April 20, 2007.

You are requested to do the needful.

Thanking you,

Yours Faithfully,

(Signature of Managing Partner/Authorised Signatory)

Rubber stamp

**Draft (on old letterhead) of letter of intimation of change in constitution/name to be given by the member on its Letterhead****Date:**

From,

M/s \_\_\_\_\_,  
\_\_\_\_\_

To,

Multi Commodity Exchange of India Ltd.  
Membership Department,  
Exchange Square, CTS No. 255,  
Gundavali, Suren Road, Chakala,  
Andheri (East),  
Mumbai – 400 093.

Dear Sir,

**Sub: Change in name of our Partnership Firm from \_\_\_\_\_ to \_\_\_\_\_**

Please take note that the name of our Partnership Firm has been changed from \_\_\_\_\_ to \_\_\_\_\_ with effect from \_\_\_\_\_. A certified true copy of certificate of modification issued by Registrar of Companies is enclosed for your record. We request you to kindly effect the said change in your system/records and enable us to continue our trading and related activities on the Exchange in our new name and entity. We hereby certify that this change of name of our entity is not accompanied by / associated with a change in Managing Partner / sharing pattern/ management / control / dominant promoter group and the required networth is maintained by us as per the norms of the Exchange. Further we undertake to comply with the formalities and documentation as may be required by the Exchange to record the said change in its records.

We undertake to forward a letter from \_\_\_\_\_ (name and address of bank) confirming the securities issued in our earlier name and their enforceability pursuant to the change as aforesaid after approval of change of name by the Exchange. Please also find our undertaking cum indemnity favoring the Exchange in this regard.

Yours faithfully,

For M/s \_\_\_\_\_

\_\_\_\_\_  
Signature(s) of the Managing Partner

(Rubber stamp of the Co)

Name -

Encl: 1.

2.

Note: If there is any change in Managing Partner/ Sharing Pattern, approval for the same is to be obtained from the Exchange. (Refer Validation Checklist for change in Managing Partner/ Sharing Pattern)

**SUGGESTED FORMAT OF MAIN OBJECTS CLAUSE OF PARTNERHIP DEED**

1. To do the business of commodity (including Commodity derivatives) broking, trading and hedging
2. To carry on business as brokers and traders in all commodities and commodity derivatives, and to act as market makers, finance brokers, sub-brokers, underwriters, sub-underwriters, providers of service for commodity related activities.
3. To buy, sell, take hold deal in, convert, modify, add value, transfer or otherwise dispose of commodities and commodity derivatives, and to carry on the above business in India and abroad for and on behalf of the company as well as for others.
4. To apply for and obtain registration as Commodities Broker or Member of any Commodities Exchange anywhere in India and abroad
5. To do the business of commodity warehousing, processing and consumption.

**(On stamp paper of Rs. 300/- and to be Notarized)**  
**(Undertaking cum indemnity to be given by member to MCX)**

To  
Multi Commodity Exchange of India Ltd.  
Membership Department,  
Floor, A Wing,  
Exchange Square, CTS No. 255,  
Gundavali, Suren Road, Chakala,  
Andheri (East),  
Mumbai – 400 093.

**Undertaking cum Indemnity**

WHEREAS we are the member of the Multi Commodity Exchange of India Limited under the name and style of “\_\_\_\_\_”. And whereas we have changed our constitution / name\* from \_\_\_\_\_ to \_\_\_\_\_ and have requested you to effect the said change in your records accordingly, for all purposes and to enable us to continue to function as members of the Exchange under our new name and style.

In consideration of your agreeing to accede to our request subject to the condition of our giving an undertaking and indemnity and documents in respect of change in constitution / name, we hereby undertake as follows:

1. We shall not misuse our old name or entity and shall not mislead or misrepresent the Exchange or any other person whatsoever pursuant to the said change in name.
2. We shall remain bound by all our actions, trades, deeds and representations whatsoever in relation to the Exchange or its affiliates, carried out or done by us in our erstwhile entity/name and/or new entity/name and shall not hold the Exchange responsible in any manner whatsoever for such acts, deeds, trades and representations.
3. We undertake to keep all our clients or constituents informed of the said change in constitution/name and agree and undertake to the Exchange that we shall continue to be responsible for all our actions done for and/or on behalf of our said clients or on our own behalf, in our erstwhile name/entity and shall be bound by the Rules, Bye-Laws and Regulations of the Exchange in respect of all our such actions and representations as if the same were and are done by us in our present name and style.
4. We shall indemnify the Exchange in case of any claims including that of third parties whatsoever arising out of or by virtue of our change in name/constitution as above and we hereby authorize the Exchange to hold and exercise any of its rights on all our monies and/or securities including Bank Guarantees held by the Exchange in our erstwhile name and style and to apply such monies or securities wherever necessary as if the same are held in our present name and style and we shall not dispute any such action of the Exchange in any manner whatsoever.

\_\_\_\_\_  
Signature(s) of the Managing Partner(s)

(Rubber stamp of the Firm)

We undertake to notify the Bank whose guarantee has been provided as security on our behalf, as to the said change in our name/constitution and the rights of the Exchange by virtue of the said Bank Guarantee/s shall not in any way get affected by the said change and the subject bank Guarantee shall continue to be enforceable.

Signed this the \_\_\_\_\_ day of \_\_\_\_\_ 200\_

For M/s \_\_\_\_\_ (New Name)

Signature(s) of the Managing Partner(s)

(Rubber stamp of the Firm)

Name -

Signed in my presence,

\_\_\_\_\_  
**Notary**

**(Letter to be given by the Bank to MCX on its Letterhead in the format as given below)**

To,  
Multi Commodity Exchange of India Ltd.  
Membership Department,  
Exchange Square, CTS No. 255,  
Gundavali, Suren Road, Chakala,  
Andheri (East),  
Mumbai – 400 093.

Dear Sir,

**Sub: Change in constitution/name – M/s \_\_\_\_\_**

This is to certify that the title of the following accounts has been changed pursuant to the change in the name of the account-holder from .....(old name/entity) to .....  
(new name/entity) :

Sr. No.	Title of Account	Account Number
1.	(New name of the applicant) - MCX Client A/c	
2.	(New name of the applicant) - MCX Settlement A/c	

Thanking you,

For \_\_\_\_\_ Bank,

**Authorised Signatory**

**Seal of the Bank**

Copy to: M/s \_\_\_\_\_ (new name) – For information. Pl.refer your letter dated \_\_\_\_.

**To be submitted if Fixed Deposit Receipt(s) / Bank Guarantee(s) are obtained from HDFC Bank Ltd.**

**Letter to be given by the Bank to MCX on its Letterhead**

**CNP-8A**

Date :

To,

Multi Commodity Exchange of India Ltd.  
Membership Department,  
Exchange Square, CTS No. 255,  
Gundavali, Suren Road, Chakala,  
Andheri (East),  
Mumbai – 400 093.

Dear Sir,

We invite your reference to the following Fixed Deposit/Bank Guarantee issued by us in favor of MCX on behalf of M/s. \_\_\_\_\_ Membership ID No. \_\_\_\_\_.

Sr. No	FDR No/ BG NO.	Issue Date	Amount in Rs
1			
2			

We wish to inform you that the Company has intimated us their change in constitution/name from M/s. \_\_\_\_\_ (Old name) to \_\_\_\_\_ (New name/entity) and have requested us to confirm to you the continuation of the above stated FDR's and Bank Guarantees in their name issued in your favor. We therefore, hereby confirm that the FDRs and Bank Guarantees referred above and issued by us on behalf of M/s \_\_\_\_\_ (Old name) shall be deemed to have been issued for and in the name of \_\_\_\_\_ (New name/entity) and shall continue to be valid and enforceable in spite of the change in constitution/name as above and we undertake to honour any claim or demand from you on account of the above referred FDR's and Bank Guarantees

Thanking You

For HDFC Bank Ltd.

Authorised Signatory

Seal of the Bank

**To be submitted if Fixed Deposit Receipt(s) / Bank Guarantee(s) are obtained from other than HDFC Bank Ltd.**

**CNP-8B**

**(Letter to be given by the Bank to MCX on its Letterhead)**

Date :

To,  
Multi Commodity Exchange of India Ltd.  
Membership Department,  
Exchange Square, CTS No. 255,  
Gundavali, Suren Road, Chakala,  
Andheri (East),  
Mumbai – 400 093.

Dear Sir,

We invite your reference to the following Fixed Deposit/Bank Guarantee issued and charged by in favor of MCX on behalf of M/s. \_\_\_\_\_.

Sr. No	FDR No/ BG NO.	Issue Date	Amount

We wish to inform you that the Company has intimated us their change in constitution/name from \_\_\_\_\_ (Old name) to \_\_\_\_\_ (New name/entity) and have requested us to confirm to you the continuation of the above stated FDR's and Bank Guarantees in their name issued in your favor. We therefore, hereby confirm that the FDRs and Bank Guarantees referred above and issued by us on behalf of \_\_\_\_\_ (Old name) shall be deemed to have been issued for and in the name of \_\_\_\_\_ (New name/entity) and shall continue to be valid and enforceable inspite of the change in constitution/name as above and we undertake to honour any claim or demand from you on account of \_\_\_\_\_ (New name) either in the name of \_\_\_\_\_ (old name) or \_\_\_\_\_ (new name /entity).

Thanking You

For \_\_\_\_\_ (Bank Name)

Authorised Signatory Seal of the Bank

**Business Undertaking  
(On the New letterhead of the Member)**

Date: \_\_\_\_\_

To,  
Membership Department  
Multi Commodity Exchange of India Ltd.  
Exchange Square, CTS no 255,  
Gundavali village, Suren Road  
Chakala, Andheri (East),  
Mumbai- 400 093.

Dear Sir,

I/We \_\_\_\_\_ (name of the Managing Partner) Managing Partner of  
\_\_\_\_\_ (trade name of the member) hereby confirm/undertake on behalf  
of the firm as under:

We confirm/undertake that neither we do/ nor we intend to carry any broking business in  
share/stocks/securities in future under the name of \_\_\_\_\_(trade name of the  
member)

We also confirm/undertake that we only intend to carry a business related to commodities and  
commodity related derivatives/future trading only.

Thanking You,

Yours truly,

For \_\_\_\_\_ (New name)

\_\_\_\_\_  
Signature of Managing Partner

\_\_\_\_\_  
Name of Managing Partner

**(On the old Letterhead of the Member)**  
**No Dues Undertaking for Change of Trade Name**

To,  
 The Membership Department  
 Multi Commodity Exchange of India Limited (MCX)  
 CTS No. 255, Suren Road, Chakala  
 Andheri (East),  
 Mumbai - 400093

Date:

Dear Sir,

**Subject:** - Change of Trade Name from \_\_\_\_\_ to \_\_\_\_\_

We are the member of the Multi Commodity Exchange of India Limited under the name and styles of " \_\_\_\_\_ " (name of the member entity) have applied for Change in Trade Name.

We hereby undertake that, we have paid all the statutory payments like stamp duty, service tax and other statutory dues and taxes etc. of the State / Central Government. It is also confirmed that any kind of statutory dues and taxes recovered by us from the clients have been deposited by us in the relevant Government account / treasury. Further, we confirm that there are no disputes with the clients and dues if any are settled.

We hereby undertake to indemnify MCX / Forward Markets Commission (FMC) and keep indemnified against any losses, damages, demands, charges or expenses, including attorney's fees, suffered by MCX / FMC by virtue of change of Trade Name and on account of violation of this undertaking. We request you to kindly process our application of Change in Trade Name.

Yours faithfully,

For \_\_\_\_\_ (Old Name of the Entity)

\_\_\_\_\_  
 (Signature)

Name of the Signatory\*:- \_\_\_\_\_

\* To be signed by the Managing Partners under the rubber stamp of the entity.

**Certificate**

As per the requirement of the Multi Commodity Exchange of India Limited it is certified that the aforesaid undertaking is true and correct to the best of my / our knowledge and I/we have verified the details / facts mentioned above and the same are based on my / our scrutiny of the books of accounts, records and documents, and as per information provided to my / our satisfaction.

Date:

For (Name of Certifying Firm)

Signature:- \_\_\_\_\_  
 {Practicing Chartered Account (CA)}

Name of Partner / Proprietor: - \_\_\_\_\_

CA Membership No.:- \_\_\_\_\_

(Rubber stamp of CA)

Place:

If the undertaking and certificate is exceed more than one page, then kindly obtain the stamp and full signature of the CA on first page.