



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

ALAKOLAMA DA SRI JAYASUMANA RAMA
MAHA VIHARADAYAKA SABHA
(INCORPORATION)
ACT, No. 20 OF 1993

[Certified on 31st March, 1993]

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*Alakolamada Sri Jayasumanarama Maha Vihara
Dayaka Sabha (Incorporation) Act, No. 20 of 1993*

[Certified on 31st March, 1993]

L. D.—O. 70/91

AN ACT TO INCORPORATE THE ALAKOLAMADA SRI JAYASUMANARA-
RAMA MAHA VIHARA DAYAKA SABHA

WHEREAS an Association called and known as the “Alakolamada Sri Jayasumanarama Maha Vihara Dayaka Sabha” has heretofore been established in Dodangaslanda for the purpose of effectually carrying out and transacting all matters connected with the said Association according to the rules agreed to by its members :

Preamble.

AND WHEREAS the said Association has heretofore successfully carried out and transacted the several objects and matters for which it was established and has applied to be incorporated and it will be for the public advantage to grant the application :

BE it therefore enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as the Alakolamada Sri Jayasumanarama Maha Vihara Dayaka Sabha (Incorporation) Act, No. 20 of 1993.

Short
title.

2. From and after the date of the commencement of this Act, such and so many persons as now are members of the Alakolamada Sri Jayasumanarama Maha Vihara Dayaka Sabha (hereinafter referred to as the “Dayaka Sabha”) or shall hereafter be admitted members of the Corporation hereby constituted (hereinafter referred to as the “Corporation”) shall be a body corporate with perpetual succession, under the name and style of “Alakolamada Sri Jayasumanarama Maha Vihara Dayaka Sabha” and by that name may sue and be sued in all courts, with full power and authority to use a common seal and to alter the same at its pleasure.

Incorporation of the Alakolamada Sri Jayasumanarama Maha Vihara Dayaka Sabha.

3. The general objects for which the Corporation is constituted are hereby declared to be—

General objects of the Corporation.

(a) to promote the interests of Buddhism ;

(b) to provide for, and maintain, the Alakolamada Sri Jayasumanarama Maha Vihara temple and the Sri Dhammathara Maha Pirivena affiliated thereto ;

(c) to protect and develop places of religious worship and cultural interest within the premises of the said temple and pirivena ;

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- (d) to construct, repair and maintain the necessary buildings of the said temple and pirivena and to provide electricity, water and such other facilities for the well being of the bhikkus in occupation of the said temple and pirivena ;
- (e) to provide the resident bhikkus and the bhikkus visiting the said temple and pirivena with the four requisites and other facilities ;
- (f) to promote co-operation and understanding between the bhikkus and the laity and thereby create a national, religious, social, educational and cultural revival in the area ;
- (g) to construct and repair houses for the poor and destitute ;
- (h) to provide educational facilities to bhikku students of the pirivena and to grant scholarships for deserving students of the area to further their education ;
- (i) to provide recreational facilities for the children and youths of the area ; and
- (j) to provide relief and welfare measures in case of natural calamities and unforeseen circumstances.

**Management
of the
affairs
of the
Corporation.**

4. (1) The affairs of the Corporation shall, subject to the rules for the time being of the Corporation, be administered by a Council of Management consisting of—

- (a) the members of the Board of Patrons nominated in accordance with the rules in force for the time being of the Corporation, of whom the Viharadhipathi of the Sri Jayasumanarama Maha Vihara shall be the chief ecclesiastical patron and the Assistant Government Agent of Ridigama shall be the chief lay-patron ;
- (b) a President, a Vice-President, a General Secretary, Assistant Secretary, Treasurer and Auditor who shall be elected at any General Meeting of the members in accordance with the rules in force for the time being of the Corporation ;
- (c) such number of other persons as may be provided for in the rules of the Corporation and appointed, elected or nominated in accordance therewith.

(2) It shall be the duty of the Board of Patrons to advise the Council of Management on matters relating to the achievement of the objects of the Corporation.

(3) The first Council of Management of the Corporation shall be the Council of Management of the Dayaka Sabha holding office on the day preceding the date of commencement of this Act.

(4) Every member of the Council of Management other than members of the Board of Patrons shall hold office for a period of two years and at the end of which period, a successor shall be elected at a general meeting or at a special general meeting of the Corporation convened for such purpose.

(4) Any member of the Council of Management who has not been removed for negligence of duty or fraud may be re-elected to any office.

5. (1) It shall be lawful for the Corporation from time to time, at any general meeting of the members and by the votes of not less than two-thirds of the members present and voting, to make rules not inconsistent with the provisions of this Act or any other written law, for the admission, withdrawal or expulsion of members, for the election of office bearers, the Council of Management for the conduct of the duties of the Council of Management, and of the various officers, agents and servants of the Corporation for the procedure to be followed in the transaction of business of the Council of Management and the Corporation, and otherwise generally, for the management of the affairs of the Corporation and the accomplishment of its objects. Such rules when made may at a like meeting convened for such purpose in like manner be altered, added to, amended or rescinded :

Rules of the Corporation.

Provided however, that no such alteration, addition, amendment or rescission shall have effect unless approved by the Council of Management.

(2) The rules of the Dayaka Sabha in force on the day preceding the date of commencement of this Act shall, in so far as they are not inconsistent with the provisions of this Act or other written law, be deemed to be the rules of the Corporation made under this section.

(3) The members of the Corporation shall at all times be subject to the rules of the Corporation.

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**Corporation
may hold
property
movable
and
immovable.**

6. The Corporation shall be able and capable in law to take over and hold any property movable or immovable, which may become vested in it by virtue of any purchase, grant, gift, testamentary disposition or otherwise and all such property shall be held by the Corporation for the purposes of this Act and subject to the rules in force for the time being of the Corporation, with power to sell, mortgage, lease, exchange or otherwise dispose of the same.

**General
powers
of the
Corporation.**

7. (1) Subject to the provisions of this Act or any other written law the Corporation shall have the power to do, perform, and execute all such acts, matters and things whatsoever as are necessary or desirable for the promotion or furtherance of the objects of the Corporation or any one of them, including the power to open, operate and close bank accounts, to borrow or raise moneys, with or without security, to receive or collect grants and donations, to invest its funds and to engage, employ and dismiss officers and servants required for the carrying out of the objects of the Corporation.

(2) The powers conferred on the Corporation by section 6 and subsection (1) of this section shall be exercised by the Council of Management.

**Debt due by
and payable
to the
Dayaka
Sabha.**

8. All debts and liabilities of the Dayaka Sabha existing on the day immediately preceding the date of Commencement of this Act shall be paid by the Corporation hereby constituted and all debts due to, and subscriptions and contributions payable to, the Dayaka Sabha on that day shall be paid to the Corporation for the purposes of this Act.

**How the
seal of
the Corpo-
ration
is to be
affixed.**

9. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of two members of the Council of Management who shall sign their names on the instrument in token of their presence and such signing shall be independent of the signing of any person as a witness.

**Saving
of the
rights
of the
Republic
and
others.**

10. Nothing in this Act contained shall prejudice or affect the rights of the Republic or of any body politic or corporate or of any other persons except such as are mentioned in this Act and those claiming by, from, or under, them.

**Sinhala
text to
prevail in
case of
inconsistency.**

11. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

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