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PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

**PERIYA MOULANA, ZAIN MOULANA
SHRINES AND THAKIYAS DEVELOPMENT
SOCIETY (INCORPORATION)
ACT, No.26 OF 1999**

[Certified on 30th August, 1999]

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*Periya Moulana, Zain Moulana Shrines and
Thakiyas Development Society (Incorporation)
Act, No. 26 of 1999*

[Certified on 30 th August , 1999]

L.D.-O. 58/96.

AN ACT TO INCORPORATE THE PERIYA MOULANA, ZAIN
MOULANA SHRINES AND THAKIYAS DEVELOPMENT SOCIETY

WHEREAS a Development Society called and Known as the “Periya Moulana, Zain Moulana Shrines and Thakiyas Development Society heretofore been formed for the purpose of effectually carrying out and transacting all objects and matters connected with the said Development Society according to the rules agreed to by its members:

Preamble

AND WHEREAS the said Development Society has heretofore successfully carried out and transacted the several objects for which it was formed 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 Periya Moulana, Zain Moulana Shrines and Thakiyas Development Society (Incorporation) Act, No.26 of 1999.

Short title.

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

Incorporation
of Periya
Moulana, Zain
Moulana
Shrines and
Thakiyas
Development
Society.

H-022545

General objects
of the
Corporation.

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

- (a) to assist in the rehabilitation, maintenance, development and upkeep of the Shrines and Thakiyas and the places of Muslim religious pilgrimage and resort ;
- (b) to promote the welfare, comfort and well being of pilgrims who may visit, venerate or seek succour and rest in, such places of pilgrimage, or who desire to observe Islamic rules of worship and prayer;
- (c) to promote in general, the religious, cultural, educational and economic well being and Welfare of Muslims ;
- (d) to provide relief and aid to the poor, the needy the sick and the aged of the Muslim faith visiting the Shrines and Thakiyas, and any other relief such as the provisions of social services, Educational and Training facilities of all manner and description to the Muslim Community in general ;
- (e) to establish and maintain a Muslim religious school for the teaching of Quran and the Arabic Language; and
- (f) do such other acts and things as are conducive or incidental to the attainment of all or any of the above objects.

General powers
of the
Corporation.

4. Subject to the provisions of this Act, and 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 and furtherance of the objects of the Corporation or any one of them , including the power to open, operate or close bank accounts, to borrow or raise moneys, with or without security, to receive or collect grants and donations, to invest and expend its funds, and to engage employ and dismiss officers and servants required for the carrying out of the objects of Corporation.

5. (1) The affairs of the Corporation shall subject to the rules in force for the time being of the Corporation, be administered by a Board of Trustees elected in accordance with such rules.

Management of the affairs of the Corporation.

(2) The first Board of Trustees of the Corporation shall be the Board of Trustees of the Development Society holding office on the day preceding the date of commencement of this Act and whose names are specified in the Schedule to this Act.

6. (1) It shall be lawful for the Corporation, from time to time, at any general meeting and by a majority of the members who are the descendants of the Seyed Zain Sakhaff Moulana family present and voting, to make rules not inconsistent with the provisions of this act and any other written law, for the admission, withdrawal and expulsion of members of the Corporation, for the election of the office-bearers and the Board of Trustees and their powers conduct and duties, for the procedure to be followed at the meetings of the Corporation and the Board of Trustees and 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 and in like manner be altered, added to, amended or rescinded.

Rules of the Corporation.

(2) The members of the Corporation shall be subject to the rules of the Corporation.

7. The Corporation shall be able and capable in law, to acquire 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 full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Corporation may hold property movable or immovable.

Debts due by and payable to the Development Society.

8. All debts and liabilities of the Development Society existing on the day 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 Development society on that day shall be paid to the Corporation for the purposes of this Act.

Seal of the Corporation.

9. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence at least of two members of the Board of Trustees who shall sign their names to 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

SCHEDULE [section 5 (2)]

BOARD OF TRUSTEES

1. His Eminence Saiyad Omar Zain Barulba Alavi Moulana.
2. His Eminence Seyed Ali Hibsny Moulana.
3. His Eminence Saiyed Aftharb Omar Barulba Alavi Moulana.
4. His Eminence Saiyad Tharbish Omar Barulba Alavi Moulana.

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