

**THE GAZETTE OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

Part II of January 20, 2012

SUPPLEMENT

(Issued on 23. 01. 2012)



**SEYYED SHEIKH KOYA THANGAL MOWLANA
FOUNDATION (INCORPORATION)**

(Private Member's Bill)

A

BILL

to incorporate the Seyyed Sheikh Koya Thangal Mowlana Foundation

*To be presented in Parliament by Hon. Faizal Cassim,
M. P. for Digamadulla*

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*Seyyed Sheikh Koya Thangal Mowlana Foundation
(Incorporation)*

AN ACT TO INCORPORATE THE SEYYED SHEIKH KOYA THANGAL
MOWLANA FOUNDATION

WHEREAS an Foundation called and known as the "Seyyed Sheikh Koya Thangal Mowlana Foundation" has heretofore been formed in Sri Lanka for the purpose of effectually carrying out its objects and transacting all matters connected with the said Foundation according to the rules agreed to by its members:

Preamble.

AND WHEREAS the said Foundation 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 expedient to grant the said 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 Seyyed Sheikh Koya Thangal Mowlana Foundation (Incorporation) Act, No. of 2012.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the "Seyyed Sheikh Koya Thangal Mowlana Foundation" (hereinafter referred to as the "Foundation") or shall hereafter be admitted as members of the Corporation hereby constituted, shall be a body corporate with perpetual succession, under the name and style of the "Seyyed Sheikh Koya Thangal Mowlana Foundation" (hereinafter referred to as the "Corporation") and by that name may sue and be sued with full power and authority to have and use a common seal and to alter the same at its pleasure.

Incorporation of the Seyyed Sheikh Koya Thangal Mowlana Foundation.

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

- 5 (a) to promote peace, goodwill, understanding and Cooperation among all communities and people of Sri Lanka;
- (b) to establish thakkiyas, Arabic Theological Colleges and Orphanages for boys;
- 10 (c) to manage and run the institutions that are already in existence such as Kattankudy Muhiyaddeen Thakkiya, Kankeyanodai, Muhiyadeen Thakkiya (in Batticaloa District) Masjidur Riffaiyyi and Arabic Theological College and Muslim Orpange there is known as Madrasathul and Muslim Orpange in Kandy District;
- 15 (d) to Manage the establishments and Institutions that have been founded by Seyyed Sheikh Koya Thangal the Predecessor of present Spiritual leader Seyyed Mohamed Buhary Nalla Koya Thangal;
- 20 (e) to promote the true creed of Islam as per Sunnathul Jamaath Doctrines;
- (f) to foster the spirit of unity and to promote goodwill and friendship among Muslims and other communities;
- 25 (g) to organize public Religious Lectures on Islamic Subject;
- (h) to work for the Religious and secular Educational curricula for the welfare of the Muslims;
- 30 (i) to organize Birthday and Anniversary celebration of Holy Phopher (sal) and Corporatons and Savants of Islam;

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- (j) to promote social and cultural activities for enriching different and for integrating the Sri Lankan communities;
- 5 (k) to assist in the development of educational, Religious, cultural, aesthetic and sports facilities without any reference to race, and to conduct various festival and competitions;
- 10 (l) to provide medical relief and food for the poor, destitute and sick persons, establish and maintain houses for displaced persons and elders and establish and maintain Children's homes and day care centers for children and elders;
- (m) to liaise and co-ordinate with other local or foreign institutions which have similar objects;
- 15 **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 what so ever as are necessary or desirable for the promotion or furtherance of the objects of the Corporation or any one of
20 them, including the power to acquire and hold property movable, or immovable, to open operate and close bank accounts, to borrow or raise moneys with or without security, to receive or collect grants or donations, to invest its funds,
25 Corporation and to engage, employ and dismiss officers and servants required for the carrying out of the objects of the Corporation.
- 30 **5.** (1) The affairs of the Corporation shall, subject to the other provisions of this Act and the rules in force for the time being of the Corporation be administered by a Board of Directors consisting of Chairman and a Secretary, Treasurer and another eleven members elected in accordance with such rules.

General
Power of the
Corporation.

Management
of the affairs
of the
Corporation.

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5 (2) The founder member of the Foundation, Holiness
Mohamed Seyyad Buhary Nalla Koya Thangal
shall be the Chairman of the Board of Directors for
life and thereafter, the family successors to him
shall become the next Chairman of the Board of
Directors;

6. (1) It shall be lawful for the Corporation, from time to time, at any General Meeting and by a majority of not less than two-thirds of the members present and voting to make rules, not inconsistent with the provisions of this Act or other written law for all or any of the following matters:—

Rules of the Corporation.

- 10 (a) the classification of membership and the admission, subscription and fees payable, expulsion or resignation;
- 15 (b) the term of office of the Board of Governors the resignation or removal from office of such members, the filling of vacancies and election of such members;
- 20 (c) the procedure to be followed at the meetings of the Board, Annual General Meetings, the summoning and the quorum of such meetings and conduct of the business thereat;
- 25 (d) the powers, conduct duties and functions of various officers, agents and servants of the Corporation including their terms and conditions of service;
- (e) the administration and management of assets, properties of the Foundation and custody of funds; and
- 30 (f) such other things as may be necessary for the attainment of the object of the Foundation.

(2) Any rule made by the Foundation may be amended, or rescinded in like manner, as a rule made under subsection (1).

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(3) All members of the Foundation shall be subject to the rules in force for the time being of the Foundation.

7. (1) The Corporation shall have its own fund and moneys received by the Fund of the way of testamentary dispositions, transfers, donations shall be deposited in the name of the Corporation in one or more banks as the Life Patrons shall determine. Fund of the Corporation.

(2) All expenses borne by the Corporation in the exercise and discharge of power and functions of the Corporation shall be paid out from the fund. 10

8. (1) The Board of Directors of the Corporation shall cause proper account to be kept of all moneys received and expended by the Corporation. Audit and accounts of the Corporation.

(2) The accounts of the Corporation shall be examined and audited at least once in every year by an auditor or auditors appointed by the Board of Directors. 15

9. The Corporation shall be able and capable in law to acquire and hold any property, movable and immovable which may become vested in it by virtue of purchase hold, grants, gift, testamentary disposition immovable or otherwise and such property shall be held by the Corporation for the purposes of this Act and subject to the rules in immovable force for the time being of the Corporation and it shall have the full power to sell, mortgage, lease, exchange or otherwise dispose of the same at the discretion of the Board of Directors. Corporation may hold property movable and immovable. 20 25

10. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of office bearers as may be provided for in the rules of the Corporation, 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. Seal of the Corporation. 30

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

5 **12.** In the event of any inconsistency between the Sinhala and Tamil text of this Act, the Sinhala text shall prevail. Sinhala text to prevail in case of inconsistency.

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