

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

Part II of February 19, 2016

SUPPLEMENT

(Issued on 23. 02. 2016)



**NADUATHUL ULAMA ARABIC COLLEGE, MUTUR
(INCORPORATION)**

(Private Member's Bill)

A

BILL

to incorporate the Naduathul Ulama Arabic College, Mutur

To be presented in Parliament by Hon. M. S. Thowfeek, M.P.

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*Naduathul Ulama Arabic College, Mutur
(Incorporation)*

AN ACT TO INCORPORATE THE NADUATHUL ULAMA ARABIC
COLLEGE, MUTUR

WHEREAS an College called and known as the Preamble.
“Naduathul Ulama Arabic College” has been formed at
Mutur, Sri Lanka for the purpose of effectually fulfilling
and carrying out all the objects and matters connected with
5 the said “Naduathul Ulama Arabic College” according to
the rules agreed to by its members and whereas the said
institution has heretofore successfully carried out and
transacted the several objects and matters for which it was
established:

10 AND the Board of Management of the said “Mutur Naduathul
Ulama Arabic College” has applied to incorporate the college
and it will be for the public advantage to grant such
application:

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

1. This Act may be cited as the Naduathul Ulama Arabic Short title.
College, Mutur (Incorporation) Act, No. 2016.

2. From and after the date of commencement of this Act, Incorporation
the persons who had heretofore managed and carried on the of the
20 affairs of the Mutur Naduathul Ulama Arabic College Naduathul
(hereinafter referred to as the “College”) and the persons who Ulama Arabic
shall hereafter be admitted to the Board of Management in College,
Mutur.
25 accordance with the provisions of this Act and rules made
thereunder, shall be and become an incorporated body
(hereinafter referred to as the “Corporation”) with the perpetual
succession under the name and the style of “Mutur Naduathul
Ulama Arabic College” 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 will and pleasure.

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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 improve the religious, educational, social,
 economical and cultural development of Muslims
 in Sri Lanka;
- 10 (b) to encourage the teaching of Arabic Language, its
 grammar, literature, verse and prose and poems, and
 other similar subjects to enable the students to gain
 the complete knowledge, skills and abilities in
 Arabic Language;
- 15 (c) to improve the teaching of ‘Sharia’ or Islamic Law
 in accordance with ‘Fiqh’ ‘Tafseer’ and ‘Hadeeths’
 and other similar subjects which are available in
 Arabic language;
- 20 (d) to encourage the teaching of recital of ‘Al Quran’
 according to ‘Thajweed’ and ‘Hifdhul Quran’, the
 recital from memory of the ‘Holy Quran’;
- (e) to encourage the teaching of other subjects similar
 to these, which are available in Arabic Language
 and are helpful to the students to gain an intense
 knowledge in matters mentioned in paragraph (a),
 (b), (c) and (d); and
- 25 (f) to do all the acts and things which are necessary or
 conducive to the attainment of the above mentioned
 objects or any one of them since they are not
 inconsistent with the provisions of this Act or any
 other written law :

 Provided always that the subjects referred to in this section
 shall be exclusively in accordance with the “Sunnath
30 Waljamaath”.

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, desirable or expedient 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 money with or without security, to invest its funds, to engage, employ and dismiss officers and servants for the carrying out of the objects of the Corporation.

General powers of the Corporation.

5. (1) The affairs of the Corporation shall, subject to the rules of the Corporation be administered by a Board of Management consisting of members elected in accordance with the rules of the Corporation.

Management of the affairs of the Corporation.

15 (2) The first Board of Management of the Corporation shall be the members of the Board of Management of College holding office on the day preceding the date of commencement of this Act.

20 6. (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 which are not inconsistent with the provisions of this Act or any other written law for the management of the affairs of the Corporation and accomplishment of its objects, such rules when made may at the meeting and in like manner be altered, added to, amended or rescinded.

Rules of the Corporation.

30 (2) The rules of the College in force on the preceding date of the commencement of this Act, shall be deemed to be the rules of the Corporation made under this section.

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

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7. All debts and liabilities of the college existing on the day preceding the date of commencement of this Act shall be paid by the Corporation and debt due to and subscriptions and contributions payable to the college on day shall be paid to the Corporation for the purpose of this Act.

Debts due by and payable to the College.

8. The Corporation shall be able in law to take and hold any property movable or immovable which may become vested it by virtue of any purchase, grant, gift, testamentary disposition or otherwise and all such property shall be held by the Corporation for the purpose of this Act and subject to the Corporation with full power to sell, mortgage, lease, or otherwise dispose of all the same.

Corporation may hold and dispose of property movable and immovable.

9. The money and property of the Corporation whensoever deriving shall be applied solely towards the promotion of its objects as set forth herein, and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, loan, or otherwise howsoever by way of profit to the members of the Corporation :

Fund of the Corporation.

Provided however, that the provisions of this section shall not prohibit—

- (a) the payment in good faith of reasonable and proper remuneration to any officer or employee of the Corporation for any service rendered by him to the Corporation;
- (b) the payment of reasonable and proper rent for premises let to the Corporation by any member of the Corporation or by any company of which a member of the Corporation is a shareholder; and
- (c) the reimbursement or repayment of reasonable and proper expenses incurred with the prior approval of the Board of Management by any member, officer or employee of the Corporation in the discharge or performance of his function or duties or in promotion of the objects of the Corporation.

10. It shall be lawfull for the Corporation— Powers of the Corporation.

- 5 (a) to purchase, acquire, rent, construct or otherwise obtain lands or buildings which may be required to the purpose of the Corporation and which may lawfully be acquired for those purposes and to deal with or dispose of the same, as if may deem expedient, with a view to promoting the objects of the Corporation;
- 10 (b) to invest any funds not immediately required for the purpose of the Corporation, in such manner as the Board of Management may think fit and to vary and transfer any such investments;
- 15 (c) to raise or borrow money for purpose of the Corporation, and to secure the discharge of any debt or obligation of the Corporation in such manner the Board of Management think fit;
- (d) to solicit, raise and receive subscription, grants, donations and gifts of all kinds, locally and abroad for the purposes of the Corporation;
- 20 (e) to construct, alter or maintain any building required for the purpose of the Corporation;
- 25 (f) to appoint, dismiss or terminate officers and servants of Corporation and to pay them such salaries, pensions, and allownaces from time to time be determined by the Corporation;
- 30 (g) to enter into any contract with any person, company, society or body of persons whether Corporate or unincorporate, any Government Department or local authority for promoting the objects of the Corporation;
- (h) to do all the things not inconsistance with this Act or any other law as are necessary expedient for the proper and effective carrying out of the Corporation.

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11. The seal of the Corporation shall not be affixed to any instrument whatsoever except in the presence of such number of persons 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.
12. 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 person, 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.
13. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail. Sinhala text to prevail in case of inconsistency.

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