



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

**JANARAJA FOUNDATION
(INCORPORATION)**

A

BILL

to incorporate the Janaraja Foundation

*presented by the Hon. Harshana Rajakaruna, M. P.
for Gampaha District on 10 th of August, 2023*

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Janaraja Foundation
(Incorporation)

AN ACT TO INCORPORATE THE JANARAJA FOUNDATION

WHEREAS a Foundation called and known as the “Janaraja Foundation” has heretofore been established for the purpose of effectually carrying out 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 for the public advantage to grant the said application.

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

1. This Act may be cited as the Janaraja Foundation (Incorporation) Act, No. of 2023 and this non-government organization which has been established for the purpose of social welfare is called as Janaraja Foundation.

Short title

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Janaraja Foundation (hereinafter referred to as the “Foundation”) and shall hereafter be admitted as members of the Foundation hereby constituted shall be body corporate with perpetual succession under the name and style of the “Janaraja Foundation” (hereinafter referred to as the “Foundation”), 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 Janaraja Foundation

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

General objects of the Foundation

(a) the achievement of human well-being without any indifference to race, religion, caste etc.;

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- (b) eliminating poverty and identifying obstacles of social existence and pioneering the human development;
- 5 (c) dedicated for creating a Sri Lankan community who are peaceful and friendly with mutual understanding and without any segregation;
- (d) contributing to create a country full of well-disciplined citizens by joining to create a society who mutually understood various religious values that make human virtuous;
- 10 (e) partaking to create a citizen who believes that patriotism can only be generated with the concept of being a Sri Lankan citizen not with the concepts of race, religion, caste or any other ethnicity;
- 15 (f) attempting to create an assured human community by convincing the notion that the vision of all religious scholars is none other than human reconciliation and social welfare;
- 20 (g) socializing the idea that education shall not be interfered by religion, economy, age, gender, background and any other factor and acting against its obstacles;
- 25 (h) protection, preservation, dissemination, evaluation, mutual understanding of cultural values and taking steps to discard barriers existing to destroy them without any religious segregation;
- 30 (i) pioneering and evaluating human thoughts and feelings of all types of arts and crafts, aesthetics, their appreciation and understanding and identifying and disposing obstacles existing against their dissemination;

(j) cherishing contemporary literature and acting updated to evaluate ancient literary books and to provide knowledge and comprehension thereof to the students;

5 (k) engaging in activities which are not specified above, which are incidentally accepted and any other matters which are understood without delay.

4. Subject to the provisions of this Act and any other Powers of the
written law, the Foundation shall have the power– Foundation

10 (a) to request and receive contributions, grants, donations and gifts of all forms as may be necessary for the purpose of the Foundation;

15 (b) to purchase, rent, lease or otherwise obtain lands or buildings which may be required for the purpose of the Foundation;

(c) to borrow or raise funds with or without interest for the purposes of the Foundation;

20 (d) to make, draw, accept, discount, endorse, buy, sell and issue bills of exchange, cheques, promissory notes and other negotiable instruments and to open, operate, maintain and close accounts in any bank;

(e) to invest any funds that are not immediately required for the purposes of the Foundation, in such manner as the Executive Council may deem necessary;

25 (f) to enter into agreement or contracts with any person or any company or body of persons with a view to promoting the objects of the Foundation;

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- (g) to undertake, accept, execute, perform and administer any lawful trust or any condition that may affect any movable or immovable property;
- 5 (h) to appoint, employ, dismiss or terminate the services of officers and servants of the Foundation and to pay them such salaries, allowances and gratuities as may be determined by the Foundation; and
- 10 (i) to do all other things as are necessary or expedient for the proper and effective carrying out of the objects of the Foundation;
- (j) It is the responsibility of every member to obey the recognized rules of the Foundation.

15 **5.** (1) The affairs of the Foundation shall be administered by a Board of Management who was appointed by a resolution in accordance with the rules of the Foundation effective in the time being.

Structure of
the
Foundation

(2) The first Board of Management of the Foundation shall consist of members who held office prior to the date of operation of this Act.

20 (3) The Board of Management shall consist of members in the following hierarchical order—

- (a) The Chairperson;
- (b) Three posts of Vice Chairpersons (appointed under various subjects);
- 25 (c) The Registrar;
- (d) Three posts of Assistant Registrars (appointed under various subjects);

- (e) Organizational Secretary;
- (f) Financial Executive;
- (g) Assistant Financial Executive;
- (h) Executive Council (it is necessary to appoint an Executive Council consisting of eight members).

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(4) General responsibilities of the Board of Management–

(a) The Chairperson–

- (i) He shall be responsible for all the affairs with his leadership;
- (ii) He shall preside at every meeting of the Board;
- (iii) He shall build up well-being and the coordination of the Board of Management;
- (iv) He shall re-structure all the necessities;
- (v) He shall provide the necessary plans to request and collect contributions, grants, donations and all forms of gifts that are necessary for the purposes of the Foundation.

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(b) The Vice Chairpersons–

- (i) In the absence of Chairperson, they shall perform the duties of the Chairperson in accordance with his order;
- (ii) They shall organize and maintain the projects assigned and conferred to them.

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(c) The Registrar–

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- (i) He shall note all the records;
 - (ii) He shall organize and record meetings;
 - (iii) He shall maintain a proper coordination among the Board of Management;
 - (iv) He shall record the documents of new proposals and projects and issue necessary guidelines to carry out them.

(d) Assistant Registrars (03 posts)–

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- (i) They shall perform duties assigned by the Registrar;
 - (ii) They shall actively assist in every activity of the Registrar.

(e) Organizational Secretary–

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- He shall be responsible for organizing all the special projects precisely and efficiently carried out by the Organization.

(f) Financial Executive–

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- (i) He shall administer all the finance;
 - (ii) He shall maintain all the transactions methodically, economically, efficiently, precisely and transparently;
 - (iii) He shall be responsible for maintaining and updating records thereof;

(iv) He shall collect accurate data on financial management and make the Board of Management aware of such reports.

(g) Assistant Financial Executive–

5 (i) He shall fully assist in the affairs of the Financial Executive;

(ii) He shall act on behalf of the Financial Executive in his *absentia*.

10 (h) Executive Council (it is necessary to appoint an Executive Council consisting of eight members).

The following responsibilities of sub-topics shall be assigned and conferred to each Executive Assistant other than the collective responsibility of this Executive Council:–

(a) Economic and community services;

15 (b) Fine arts, arts, aesthetics and literature;

(c) Sports and traditional games, sports festivals and tournaments;

(d) Religious and cultural affairs;

20 (e) Agriculture, evaluation process of tradition and indigenesness;

(f) Environment and wildlife activities;

(g) Techniques of education and new technology;

(h) Inspection of accounts;

(5) Meetings of the Board of Management–

- (a) The appointments of the Board of Management shall be in force for a period of two years;
- 5 (b) It shall be necessary to appoint a new Board of Management one month prior to the completion of the prescribed period of time, if no state of emergency in the country has occurred;
- 10 (c) If it has been delayed to appoint such a new Board, it shall be a fixed rule not to carry out any projects, or perform or carry out any other activities;
- 15 (d) It shall be necessary to hold a general meeting at least once in every three months and no resolution and decision shall be made unless there is the majority power of more than one third including the absentees to the general meeting;
- 20 (e) The registrar may not fail to convene a general meeting in response to a written request made by one third of the members;
- 25 (f) Every Board of Management shall submit a development plan for the subsequent two years within a period of month upon their new appointment.

6. (1) The Foundation shall have its own fund and shall be utilized for the activities and for the provision of the proposed projects thereof. Organizational Fund

5 (2) All moneys received by way of gifts, bequests, donations, subscriptions, contributions, fees or grants for and on account of the Foundation shall be deposited in one or more public banks, as determined by the Board of Management to the credit of the Foundation.

(3) There shall be established a depreciation fund and a sinking fund for the rehabilitation, development and improvement of the property.

10 (4) There shall be paid out of the Fund, all sums of money as are required to defray any expenditure incurred by the Foundation in the exercise, performance and discharge of its powers, duties and functions under the Act.

7. (1) The Foundation shall cause proper accounts to be kept of its income and expenditure. Accounts and Auditing of the Foundation

15 (2) The account or accounts shall be audited annually by the auditor of the Foundation.

(3) The financial year of the Foundation shall be considered from the First (1st) of January to Thirty First (31st) of December every year.

20 **8.** All the debts and liabilities shall be paid off by the Corporation on the day immediately preceding the date of commencement of this Act and the subscriptions and contributions shall be paid to the Corporation on the same day for the purposes of this Act. Moneys paid by and to the Foundaion

25 **9.** (1) If upon the dissolution of the Foundaion there remains after the satisfaction of all its debts and liabilities any property whatsoever, such property shall not be distributed among the members of the Foundation. Property remaining on dissolution

30 (2) Such properties and liabilities shall be returned or transferred to any other institution having objects similar to those of the Foundation, having no rules made in relation to distribution of any income or property among its members, and which is by the rules thereof, prohibited from distributing any income or property among its members. It shall be determined by the Board of Management prior to the dissolution of the Foundation.

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10. Nothing in this Act contained shall prejudice or affect the rights of the Democratic Socialist Republic of Sri Lanka, or of any body politic or of corporate or of any other person other than the persons of this Act or their representatives, members or their claimants.

Saving of the rights of the Republic and others

11. 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

