



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

**RAMAKRISHNA SARADA MISSION
(LANKA BRANCH) (INCORPORATION)
ACT, No. 1 OF 2012**

[Certified on 17th January, 2012]

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Ramakrishna Sarada Mission (Lanka Branch)
(Incorporation) Act, No. 1 of 2012

[Certified on 17th January, 2012]

L.D.—O. Inc.(18/2010)

AN ACT TO INCORPORATE RAMAKRISHNA SARADA MISSION
(LANKA BRANCH)

WHEREAS a Society called and known as the “Ramakrishna Sarada Mission (Lanka Branch)” has heretofore been formed, and registered in Sri Lanka under the provisions of Societies Ordinance (Chapter 123) for the purpose of effectually carrying out its objects and transacting all matters connected with the said Society according to the rules agreed to by its members:

Preamble.

AND WHEREAS the said Society has heretofore successfully carried out and transacted the several objects and matters for which it was formed and has applied to be incorporated and it will be for the public advantage 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 Ramakrishna Sarada Mission (Lanka Branch) (Incorporation) Act, No. 1 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 “Ramakrishna Sarada Mission (Lanka Branch)” (hereinafter referred to as the “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 “Ramakrishna Sarada Mission (Lanka Branch)” 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 Ramakrishna
Sarada Mission
(Lanka Branch).

General objects
of the
Corporation.

- (a) to impart and promote the study of Hinduism and all its scriptures and the teaching of Sri Ramakrishna Paramahansa, Sri Sarada Devi and Swami Vivekananda within the Hindu community;
- (b) to promote the study of comparative theology in its widest form and assist in bringing about the harmony of all religions;
- (c) to promote, encourage and assist the religious, educational, social and cultural advancement of Hindu women and children;
- (d) to establish, maintain and manage religious and educational institutions, orphanages, laboratories, hospitals, dispensaries and other charitable institutions for the Hindu community;
- (e) to train the teachers who are in the Hindu religious institutions and carry on educational activities among the masses in all the branches of knowledge;
- (f) to publish through print or electronic media and distribute books, journals, periodicals and magazines which the Corporation may consider desirable for the promotion and advancement of its objects;
- (g) to conduct and sponsor conferences, lectures, seminars, workshops and group studies within or outside Sri Lanka for Hindu religious personnel for the purpose of achieving the objects of the Corporation; and
- (h) to collaborate for the betterment of the Hindu Community with any other institutions or organizations, whether foreign or local, having objects similar to those of the Corporation.

4. (1) The affairs of the Corporation shall, subjects to the rules of the Corporation made under section 6, be administered by a Executive Committee (hereinafter referred to as the “Committee”) consisting of the President and Secretary who shall be nominated by the Governing Body of the Ramakrishna Sarada Mission, Dakshineswar, Kolkata, Vice President and other office bearers elected or appointed in accordance with the rules of the Corporation made under section 6.

Management of the affairs of the Corporation.

(2) The person holding the post of the President for the time being of the Ramakrishna Sarada Mission, Dakshineswar, Kolkata shall be the Patron of the Corporation.

(3) The first Committee shall consist of the members of the Executive Committee holding office on the day immediately preceding the date of commencement of this Act.

5. 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 or furtherance of the objects of the Corporation or anyone of them including the power to:—

General Powers of the Corporation.

- (a) acquire, hold, take or give on lease or hire, mortgage, pledge, sell, exchange or otherwise alienate, encumber or dispose of any immovable property for the purposes of the Corporation;
- (b) enter into and perform or carry out, whether directly or through any officer or agent authorized in that behalf by the Corporation, all such contracts or agreements as may be necessary for the attainment of the objects or the exercise of the powers of the Corporation;
- (c) accept gifts, donations and bequests in cash or in kind;

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- (d) invest its funds, and to maintain current, deposit and savings accounts in any bank;
- (e) borrow or invest money for the purposes of the Corporation in such manner and upon such security as the Corporation may think fit; and
- (f) appoint, employ, transfer, exercise disciplinary control over and dismiss officers and servants required for the carrying out of the objects of the Corporation.

Rules of the
Corporation.

6. (1) It shall be lawful for the Corporation from time to time, at any general meeting of the Corporation 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 any other written law on all or any of the following matters :—

- (a) the classification of membership and the admission, withdrawal or expulsion of members;
- (b) the election of office-bearers, the resignation from or vacation of, or removal from office of, office bearers and their powers and duties;
- (c) the election of members of the committee and its powers conduct and duties;
- (d) the powers, duties and functions of the various officers, agents and servants of the Corporation;
- (e) the procedure to be observed or the summoning and holding of meetings of the Corporation and the Committee, the time, places, notices and agenda of such meetings and the quorum therefor and the conduct of business thereat; and
- (f) the administration and management of the property of the Corporation and the custody of its funds.

(2) Any rule made by the Corporation may be amended, altered, added to or rescinded at a like meeting and in like manner as a rule made under subsection (1).

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

7. (1) The Corporation shall have its own fund and all moneys heretofore or hereafter received by way of gifts, testamentary dispositions, transfers, donations, subscriptions, contributions, fees or grants or any financial investment shall be deposited to the credit of the fund of the Corporation in one or more Banks as may be determined by the Committee.

Fund of the Corporation.

(2) All expenses incurred by the Corporation in exercising and discharging its powers and functions shall be paid out of the fund.

8. (1) The financial year of the Corporation shall be the calendar year.

Audit and Accounts .

(2) The Corporation shall cause proper accounts to be kept of its income and expenditure, assets and liabilities and all other transactions of the Corporation.

(3) The accounts of the Corporation shall be audited by a qualified auditor appointed by the Committee.

(4) In this section “qualified auditor” means-

(a) an individual who being a member of the Institute of Chartered Accountants of Sri Lanka, or of any other institute established by law, possesses a certificate to practice as an accountant issued by such Institute; or

(b) a firm of accountants each of the resident partners of which, being a member of the Institute of Chartered Accountants of

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Sri Lanka or of any other institute established by law, possesses a certificate to practice as an accountant issued by such Institute.

Seal of the Corporation.

9. The seal of the Corporation shall be in the custody of the Secretary and shall not be affixed to any instrument whatsoever except in the presence of the President and the Secretary of the Corporation or such other person duly authorized by the Committee 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.

Debts due by and payable to the Society.

10. All debts and liabilities of the 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, subscriptions and contributions payable to the Society on that day shall be paid to the Corporation for the purposes of this Act.

Limitation of liability of members.

11. No member of the Corporation shall, for the purpose of discharging the debts and liabilities of the Corporation or for any other purpose, be liable to make any contribution exceeding the amount of such membership fees as may be due from him to the Corporation.

Application of moneys and property.

12. The moneys and property of the Corporation however derived 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, bonus, profit or otherwise howsoever to the members of the Corporation.

Corporation may hold property movable and immovable.

13. Subject to the provisions of this Act, 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 the Corporation and

subject to the rules of the Corporation made under section 6, with full power to sell, mortgage, lease, exchange or otherwise dispose of, the same.

14. If upon the dissolution of the Corporation 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 Corporation but shall be given or transferred to some other association or associations having objects, similar to the objects of the Corporation, and which is, or are by the rules thereof prohibited from distributing any income or profit among its or their members. Such association or associations shall be determined by the members of the Corporation at or immediately before the time of dissolution of the Corporation.

Property
remaining on
dissolution.

15. Nothing in this Act contained shall prejudice or affect the rights of the Republic and of anybody politic or corporate.

Savings of the
Rights of the
Republic and
others.

16. (1) All contracts, agreements, certificates or other instruments or documents whatsoever made, issued or executed prior to the date of commencement of this Act, by or in favour of the Society shall be deemed from and after the date of commencement of this Act, to be and to have been made, issued or executed by or in favour of the Corporation.

Savings.

(2) All suits, actions, appeals and any other legal proceedings instituted by or against the Society and pending immediately prior to the date of the commencement of this Act, shall not abated or be discontinued and may be continued or enforced by or against the Corporation.

(3) All property movable and immovable, which has been vested in, or legally purchased or acquired by, or leased to, or placed at the disposal of, or in any other manner transferred to the Society or which is held in trust for the Society, is in its possession or control on the date of commencement of this Act, shall be held by or in trust for the Corporation

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established under this Act, subject to the trusts, charges, liabilities, reservations, servitudes or other encumbrances and on the terms and conditions appertaining, attaching or applicable thereto at that date.

(4) All the rights, liabilities and obligations of the Society other than the rights, liabilities and obligations referred to in subsection (1) on the day immediately prior to the date of commencement of this Act, shall be deemed to be the rights, liabilities and obligations of the Corporation.

Sinhala text to prevail in case of inconsistency.

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

Annual subscription of English Bills and Acts of the Parliament Rs. 885 (Local), Rs. 1,180 (Foreign), Payable to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU, DEPARTMENT OF GOVERNMENT INFORMATION, No. 163, KIRULAPONA MAWATHA, POLHENGODA, COLOMBO 05 before 15th December each year in respect of the year following.