

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

Part II of January 14, 2016

SUPPLEMENT

(Issued on 18.01.2016)



**GANEGAMA SRI INDASARA DHARMAYATHANA
SANRAKSHANA SABHAWA (INCORPORATION)**

(Private Member's Bill)

A

BILL

**to incorporate the Ganegama Sri Indasara Dharmayathana
Sanrakshana Sabhawa**

*To be presented in Parliament by Hon. Mohan Priyadarshana De Silva,
M. P. for Galle District*

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*Ganegama Sri Indasara Dharmayathana
Sanrakshana Sabhawa (Incorporation)*

AN ACT TO INCORPORATE THE GANEGAMA SRI INDASARA
DHARMAYATHANA SANRAKSHANA SABHAWA

WHEREAS an Association called and known as the Preamble.
“Ganegama Sri Indasara Dharmayathana Sanrakshana
Sabhawa” has heretofore been established at Ganegama,
Baddegama in Sri Lanka for the purpose of effectually carrying
5 out and transacting all objects and matters connected to by
its members:

AND WHEREAS the said Association has heretofore
successfully carried out and fulfilled the several objects and
matters for which it was established, and has applied to be
10 incorporated, and it will be for the public advantage to grant
such 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 Ganegama Sri Indasara Short title.
15 Dharmayathana Sanrakshana Sabhawa (Incorporation) Act,
No. of 2016.

2. From and after the operative date of this Act, such and Incorporation
so many persons as now are members the Executive Committee of the
and the Advisory Board of the Ganegama Sri Indasara Ganegama Sri
20 Dharmayathana Sanrakshana Sabhawa (hereinafter referred to Indasara
as the “Sabhawa”) or shall hereafter be admitted members of Dharmayathana
the Corporation hereby constituted, shall be a body corporate, Sanrakshana
(hereinafter referred to as the “Corporation”) with perpetual Sabhawa.
succession, under the name and style of the “Ganegama Sri
25 Indasara Dharmayathana Sanrakshana Sabhawa” 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.

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 Sanrakshana Sabhawa (Incorporation)

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

- 5 (a) to establish and maintain a centre for training of
 ordained Bhikkus in accordance with the ancient
 religious rituals;
- (b) to establish and maintain centres to conduct research
 into Buddhism;
- (c) to propagate and protect Buddhism and Buddhist
 culture; and
- 10 (d) to foster the development of the Ganegama Sri
 Indasara Dharmayathanaya and the institutions
 affiliated to it and to provide for the social and cultural
 upliftment of its members and the general public.

15 4. (1) The affairs of the Corporation shall, subject, to
 the rules in force for the time being of the Corporation be
 administered by an Executive Committee consisting of such
 members as may be provided for in such rules and elected in
 accordance therewith. Executive
Committee.

20 (2) The first Executive Committee of the Sabhawa holding
 office on the day immediately preceding the date of
 commencement of this Act.

25 5. (1) It shall be lawful for the Corporation, from time to
 time, at a general meeting and by the votes of two-thirds of
 the members present and voting to make rules, not
 inconsistent with the provision of this Act, or any other written
 law, for the admission, withdrawal or expulsion of members,
 for the performance of the officers, agents and servants of
 the Corporation, for the election of office-bearers, for the
 procedure to be followed in the transaction of business, and
30 otherwise generally for the management of the affairs of the
 Corporation and the accomplishment of its objects. Rules of the
Corporation.

(2) No rule of the Corporation for the time being in force or which may hereafter be passed shall be altered, added to, amended or rescinded except by the votes of two-thirds of the members present and voting at a general meeting of the Corporation.

(3) The rules of the Sabhawa in force at the time of the commencement of this Act, shall, in so far as they are not inconsistent with the provisions of this Act or any other written law, be deemed to be the rules of the Corporation made under this section.

(4) All members of the Corporation shall be subject to the rules of the Corporation.

6. All debts and liabilities of the Sabhawa existing on the day immediately preceding the date of commencement of this Act, shall be paid and discharged by the Corporation and all debts, due to and subscriptions and contributions payable to the Sabhawa shall be paid to the Corporation for the purpose of this Act.

Debts due by and payable to the Corporation.

7. 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 any one of them, including the power to open, operate and close bank accounts, to borrow or raise moneys, with or without security, to receive or collect grants and donations to invest its funds, and to engage, employ and dismiss personnel required for the carrying out of the objects of the Corporation.

General powers of the Corporation.

8. The Corporation shall be capable in law, to take 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 the Corporation shall subject to the rules in force for the time being of the Corporation have full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

Corporation may hold property movable and immovable.

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9. The seal of the Corporation shall be affixed to any instrument whatsoever except in the presence of both the Secretary of the Corporation and the Director Monk of the Ganegama Sri Indasara Dharmayathanaya who shall sign their names in token of their presence, and such signing shall be independent of the signing of any person as a witness.

How the seal of the Corporation is to be affixed.

10. The land called "Galamakandagoda Watte" situated at Ganegama (South) in Galu Gangabodapattu together with the buildings thereon presently owned by the said Dharmayathanaya shall be the headquarters of the Corporation and shall be deemed as property vested in the Corporation.

Headquarters of the Corporation.

11. (1) Ordained Bhikkus and the faithful Buddhist laity devoted to the religion who are in agreement with the objects of the Corporation are eligible for its membership.

Membership and membership fees.

15 (2) The members who offer alms to the Dharmayathanaya annually shall be members with full membership rights.

(3) Those who pay a sum of Rupees one thousand (Rs. 1000.00) or more to the Corporation once, shall be its life members.

20 (4) Those other than the life members and the members and the members of the Dharmayathanaya, who pay a sum of Rupees one hundred (Rs. 100.00) as membership.

25 Chairman Baddegama Pradeshiya Sabha, Divisional Secretary, Baddegama, District Medical Officer Baddegama, Officer In-charge of Police Station Baddegama, Grama Niladhari Ganegama South are become member by their designation.

12. (1) The advisory board of this Corporation shall consist of three High Priests well versed in and devoted to the observance of Buddhist doctrine and two learned, elderly and pious Buddhist laymen in addition to the Director of Dharmayathanaya and the Parivenadhipathi.

Advisory Board.

(2) Except the Director of Dharmayathanaya and the Parivenadhipathi, all other members of the Advisory Board referred to above shall be elected at a general meeting by the majority vote of the members.

- 5 **13.** (1) The first Director of the Corporation shall be Reverend Pandith Keradewala Vajiragnana Thero (B.A.) the Director of this Dharmayathanaya holding office at the time of the coming into operation of this Act. The Director shall be the Internal Administrator of the “Ganegama Sri Indasara Dharmayathana” conducted by this Corporation and of any other institutes, if any, to be established.
- 10

Directorship
and its
powers.

- (2) The office of the Director which will fall vacant after the present Director shall be filled by electing a Bhikku well versed in and devoted to the observance of Buddhist doctrine and who belongs to this monastic sector.
- 15

- (3) It shall be possible to elect a Bhikku with maximum qualifications from outside as the Director only in the event that a monk having necessary qualifications and descending in direct line from the monastic sector of the said Reverend Pandit Keradewala Vajiragnana Thero is no available.
- 20

- (4) All matters connected with the admission of pupils, their expulsion, appointment of Parivenadhipathi and teachers and their dismissal, disciplinary control, furnishing facilities to the pupil bhikkus and making arrangements for the training and education etc. shall be the powers and responsibilities of the Director.
- 25

- 14.** (1) If there is a balance money belonging to the Corporation after incurring expenditure, it shall be credited to the Current Account No. 1534 named “Indasara Dharmayathana Sanrakshana Fund” at People’s Bank, Baddegama Branch.
- 30

Funds of the
Corporation.

(2) The Director and one out of the Treasurer and the Secretary shall sign the cheques and the necessary documents in respect of bank transactions.

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5 **15.** 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.

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

Sinhala text
to prevail in
case of
inconsistency.

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