



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRILANKA**

**AL-JAMIATHUL GHAWSIYYAH
(INCORPORATION)**

A

BILL

to incorporate the Al-Jamiathul Ghawsiyyah

*Presented by Hon. K. Kader Masthan M.P. for Vanni District
on 07th April, 2016*

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[Bill No. 101]

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Al-Jamiathul Ghawsiyyah (Incorporation)

AN ACT TO INCORPORATE THE AL-JAMIATHUL GHAWSIYYAH

- WHEREAS an Institute called and known as the “Al-Jamiathul Ghawsiyyah” has heretofore been established by His Holiness Assaiyyidh Asseikh Abdur Rasheed Koya Thangal Al-Qadhiyyah Wa, - Refaiyyah devoted genuine services for Islam and for the purpose of effectually carrying out and transacting all objects and matters connected with the said Institute according to the rules agreed to by His Holiness Assaiyyidh Asseikh Abdur Rasheed Koya Thangal Al-Qadhiyyah Wa, - Refaiyyah:
- 10 AND WHEREAS the said Institute has heretofore successfully carried out and administered smoothly the several objects and matters for which it was formed and has applied to be incorporated and it is for the public advantage to grant such application:
- 15 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 Al-Jamiathul Ghawsiyyah (Incorporation) Act, No. 2016. Short title.
 2. From and after the date of commencement of this Act, such and so many incorporation of the persons as presently are members of the Al-Jamiathul Ghawsiyyah (hereinafter referred to as the “Institute”) or shall hereafter be admitted Ghawsiyyah members of the Corporation hereby constituted shall be a body corporate (hereinafter referred to as the “Corporation”) with perpetual succession under name and style of the “Al-Jamiathul Ghawsiyyah” 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. Incorporation of the Al-Jamiathul Ghawsiyyah.
 3. The general objects for which the Corporation is established are hereby declared to be— General objects of the Corporation.
 - (a) to conduct classes to promote religious discourses of the Holy Quran, Hadhees, Fiqhu and Hiflu;

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- (b) to organize the teaching of Arabic grammar and the study of laws of Shafee, Hanafee, Hambali and Maliki Mazhahs;
- 5 (c) to conduct and promote researches on the above discourses and learning of Quran by memory;
- (d) to conduct commemorative events of Holy Prophet Muhammad Sallallahu Alaihiwa Sallam and of other leading saints as may be deemed relevant and necessary;
- 10 (e) to conduct research into the life history and activities of the founder of the Qadhiyyah Thareeq His Holiness Quthbul Aqthab Ashheikh Assaiyyid Muhyiddeen Abdul Qadir Jeelani (Qaddasallahu Sirrahul Azeez) of other leading;
- 15 (f) to conduct convocations for the award of certificates for students who complete the Moulavi course and/or Hiflu course;
- (g) to conduct weekly Qadhiyya Rathib and Annual Kanduri Feast;
- 20 (h) to promote the study of Urdu and other languages;
- (i) to maintain the Madrasa library of Islamic Sciences equipped with relevant books and promote the reading interest of the Madrasa students;
- 25 (j) to conduct and promote the studies on the basic principles of Ahulus Sunnath Waljama'ath through the above library and Madrasa ;
- (k) to equip the library with books to conduct researches to promote the Islam Religion and the Thareeqas and Madrasa; and

(d) to do all such other acts and things as are necessary, conducive or incidental to the attainment of all or any of the objects of the Corporation as stated above and at the discretion of the rightful descendants of successors of the Late Founder of the Al-Jamiathul Ghawsiyyah His Holiness Assaiyyidh Ashheikh Abdur Rasheed Koya Thangal Al-Qadhiyyah War-Rifa'iyah (Qaddasallahu Sirrahul Azeez).

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 and desirable for the promotion or furtherance of the objects of the Corporation including the power to open, operate and close bank accounts, to borrow or raise money with or without security, to receive or to collect grants and donations from the Mureedeens, Muhibbeens, followers and well-wishers and to invest its funds to construct any buildings on any land vested in, or acquired or held by the Corporation, and to engage, employ and dismiss personnel for the purpose of carrying out of the objects of the Corporation.

General powers of the Corporation.

5. (1) The Spiritual Heads of the Corporation shall be the Life Patrons of the Corporation as long as they continue to be such Spiritual Heads His Holiness Assaiyyidh Assheikh Koya Thangal Al-Qadhiyyah War-Rifa'iyah (Qaddasallahu Sirrahul Azeez).

Management of the affairs of the Corporation.

(2) The Spiritual Heads of the association on the date of commencement of this Act and thereafter, are namely—

- (a) His Holiness Assaiyyidh Hassan Koya Thangal ;
- (b) His Holiness Assaiyyidh Hussain Koya Thangal ;
- (c) and their rightful descendants and successors as nominated by them.

6. (1) The affairs of the Corporation shall, subject to the Rules of the Corporation. rules in force for the time being for the Corporation, be administered by a Board of Administration consisting of such number of persons as may be provided for in such rules and appointed periodically by the Life Patrons at their sole discretion.

(2) The first Board of Administration of the Corporation shall be the Executive Committee of the Corporation holding office on the day preceding the date of Commencement of the Law.

(3) It shall be lawful for the Corporation, from time to time, at the discretion of the Life Patrons to make rules, not inconsistent with the provisions of this Act or any other written law.

(4) Any such rule made may be amended, altered or added to, or rescinded at the discretion of the Life Patrons.

(5) The lands and buildings of the Institute is the property of the Late Founder His Holiness Assaiyyidh Assheikh Koya Thangal Al-Qadhiyyah War-Rifa'iyah (Qaddasallahu Sirrahul Azeez) and his heirs and successors.

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.

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

8. 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 purchases, hold property grants, gifts, testamentary disposition immovable or Corporation may hold property movable and immovable.

otherwise and such property movable and 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,
5 lease, exchange or otherwise dispose of the same at the discretion of the Board of Administration.

9. 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.
10 Corporation who shall sign their names to the instrument in token of their presence, such signing shall be independent of the signing of any person as a witness.

Seal of the Corporation.

10. 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.
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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
20 prevail.

Sinhala text to prevail in case of inconsistency.

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