

PARLIAMENT OF THE DEMOCRATIC

SOCIALIST REPUBLIC OF

SRI LANKA

—————————

MOHAN LAL GRERO FOUNDATION

(INCORPORATION) ACT, No. 20 OF 2014

—————————

[Certified on 17th June, 2014]

Printed on the Order of Government

—————————

Published as a Supplement to Part II of theGazette of the Democratic

Socialist Republic of Sri Lanka of June 20, 2014.

PRINTEDATTHEDEPARTMENTOFGOVERNMENTPRINTING,SRILANKA

TOBEPURCHASEDATTHEGOVERNMENTPUBLICATIONSBUREAU,COLOMBO5

Price : Rs. 6.00 Postage : Rs. 5.00

Mohan Lal Grero Foundation 1

(Incorporation) Act, No. 20 of 2014

[Certified on 17th June, 2014]

L.D.—O. (Inc. 13/2013)

AN ACT TO INCORPORATE THE MOHAN LAL GRERO FOUNDATION

WHEREAS a Foundation called and known as the “Mohan Preamble.

Lal Grero Foundation” has heretofore been established in

Sri Lanka for the purpose of effectually carrying out its objects

and transacting all matters connected with the said

Foundation according to the rules agreed to by its members:

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 therefore enacted by the Parliament of the Democratic

Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as the Mohan Lal Grero Short title.

Foundation (Incorporation) Act, No. 20 of 2014.

2. (1) From and after the date of commencement of this Incorporation of

Act, such and so many persons as now are members of the the Mohan Lal

Grero

“Mohan Lal Grero Foundation” (hereinafter referred to as the

Foundation.

“Foundation”) or shall hereafter be admitted as members of the

Corporation hereby constituted shall be a body corporate with

perpetual succession under the name and style of the “Mohan

Lal Grero Foundation” (hereinafter referred to as “the

Corporation”) 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.

(2) The Corporation shall be deemed to be a voluntary

social service organization within the meaning, and for the

purpose of the voluntary social services organizations

(Registration and Supervision) Act, No. 31 of 1980 and the

provisions of that Act shall apply to and in relation to the

management of the affairs of the Corporation.

2 Mohan Lal Grero Foundation

(Incorporation) Act, No. 20 of 2014

General objects 3. (1) The general objects for which the Corporation is

of the

Corporation. constituted are hereby declared to be—

(a) to assist the relevant authorities to promote, improve

and develop education and the knowledge of

languages with special emphasis on the language of

English ;

(b) to assist the relevant authorities to promote, develop

and maintain overall welfare of the under-privileged

and to provide necessary guidance, counselling or

advice to uplift their living standards ;

(c) to assist the relevant authorities to promote, improve,

develop and maintain the abilities and aptitudes of

the people in the fields of education, science, culture,

literature, arts, aesthetic studies and sports ;

(d) to promote, propagate and foster humanitarian ideas,

democratic and pluralistic values, good citizenship

and patriotic concepts and beliefs ;

(e) to assist the relevant authorities to organize, establish

and create community development facilities in the

rural areas of the country and to inculcate in, teach

and impart to, the rural community the values of self-

development and self-employment;

(f) to encourage and assist the youth to acquire

proficiency in new technical skills ;

(g) to improve, develop, foster and maintain talents and

abilities in entrepreneurship, research and training in

business, technology and management and concepts

of income-generating and self-employment ventures

and enterprises ;

Mohan Lal Grero Foundation 3

(Incorporation) Act, No. 20 of 2014

(h) to provide necessary services to promote activities

which encourage the improvement of knowledge and

disciplined thinking ;

(i) to provide guidance to improve proficiency in

internationallanguagesusedincommercialactivities;

(j) to collaborate with any other local and foreign

institutions having objects similar to that of the

Corporation ;

(k) to grant scholarships and bursaries to needy and

deserving students ;

(l) to educate the Sri Lankan citizens on the value of the

environment and forestry, the environmental impacts

of modern technology, afforestation, deforestation

and environmental pollution and hazards relating

thereto ;

(m) to organize and establish facilities for promoting

mutual understanding, co-operation and assistance,

harmony, exchange of ideas and good fellowship

among various cultural, religious and ethnic groups ;

(n) to assist the relevant authorities to promore, develop

and facilitate international understanding, co-

operation and assistance in all spheres of cultural,

economic, scientific and educational activities ; and

(o) to assist the relevant authorities to establish, improve,

encourage, develop and maintain research facilities

in scientific, cultural, education, economic and all

other aspects of human development.

(2) In the implementation of the objects specified in

subsection (1) the Corporation shall ensure that such

implementation shall be carried out without any distinction

based on race, religion, language, caste, sex, political opinion,

place of birth or any of such grounds.

4 Mohan Lal Grero Foundation

(Incorporation) Act, No. 20 of 2014

Corporation to 4. The objects of the Corporation shall be carried out in

ensure no

conflict with such manner so as not to create any conflict between the

work of Ministry work of the Corporation and any work being carried out

or Department of

the Government simultaneously by any Ministry or Department of the

or Province. Government or of any Provincial Council.

Management of 5. (1) Subject to the provisions of this Act the

the affairs of the

management and administration of the affairs of the

Corporation.

Corporation shall be carried out by a Board of Directors

(hereinafter referred to as the “Board”) consisting of such

number of office bearers as may be specified by the rules

made under section 7.

(2) (a) The Board of the Foundation that holds office on

the day immediately preceding the date of commencement

of this Act, shall function as the Board of the Corporation

until the first Board is appointed or elected in the manner

provided for by rules made under section 7.

(b) The first Board of the Corporation shall be appointed

or elected within one year of the date of commencement of

this Act.

(3) (a) Every office bearer of the Board including the

patrons and advisers, shall be appointed or elected for a period

of three years and any such office bearer, patron or advisor

shall be eligible for re-appointment or re-election after lapse

of the said period of three years.

(b) In the event of a vacancy occurring due to the death,

resignation, incapacity or removal from office of an office

bearer, the Board shall having regard to the rules of the

Corporation, elect or appoint a person to fill such vacancy.

(c) The person elected or appointed under paragraph (b)

shall hold office only for the unexpired portion of the term of

office of the member whom he succeeds.

Mohan Lal Grero Foundation 5

(Incorporation) Act, No. 20 of 2014

6. Subject to the provisions of this Act and any other Powers of the

Corporation.

written law, the Corporation shall have the power to do,

perform and execute all such acts and matters as are necessary

or desirable for the promotion or furtherance of the objects

of the Corporation or any one of them, including the power—

(a) to purchase, rent, construct, renovate lands or

buildings which may be required for the purposes

of the Corporation and to deal with or dispose of

the same as may be deemed expedient with a view

to promoting the objects of the Corporation ;

(b) to borrow or raise funds with or withour securities

and to receive grants, gifts or donations in cash or

kind :

Provided that, the Board shall obtain the prior

written approval of the Department of External

Resources of the Ministry of the Minister assigned

the subject of Finance, in respect of all foreign

grants, gifts or donations made to the Corporation;

(c) to make, draw, accept, discount, endorse, negotiate,

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 ;

(d) to invest any funds that are not immediately

required for the purposes of the Corporation, in such

manner as the Board may determine ;

(e) to undertake, accept, execute, perform and

administer any lawful trust or any real or personal

property with a view to promoting the objects of

the Corporation ;

6 Mohan Lal Grero Foundation

(Incorporation) Act, No. 20 of 2014

(f) to appoint, employ, dismiss or terminate the services

of officers and servants of the Corporation and

exercise disciplinary control over them and to pay

them such salaries, allowances and gratuities as may

be determined by the Corporation ;

(g) to organize lectures, seminars and conferences with

a view to promoting the objectives of the

Corporation ;

(h) to liaise and co-ordinate with other local and

foreign institutions having similar objects to that

of the Corporation ;

(i) to train personnel in Sri Lanka or abroad for the

purposes of the Corporation ; and

(j) to do all other things as are necessary or expedient

for the proper and effective carrying out of the

objects of the Corporation.

Rules of the 7. (1) It shall be lawful for the Corporation, from time to

Corporation.

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, for all or any

of the following matters:—

(a) classification of membership, admission,

withdrawal, expulsion or resignation of members

and fees payable by the members ;

(b) the election of office bearers of the Board or

vacation of or removal from office of office bearers

and the powers, duties and functions of the office

bearers ;

(c) the terms and conditions of appoinment, powers,

functions and duties of the various officers, agents

and servants of the Corporation ;

Ac

Au

Mohan Lal Grero Foundation 7

(Incorporation) Act, No. 20 of 2014

(d) the procedure to be followed for the summoning

and holding of meetings of the Board or any sub-

committee thereof, notices and agenda of such

meetings, the quorum and the conduct of business

thereat ;

(e) the qualification and disqualifications to be a

member of the Board and the Corporation ;

(f) the administration and management of the property

of the Corporation ; and

(g) generally the management of the affairs of the

Corporation and the accomplishment of its’ objects

and dissolution of the Corporation.

(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) of this section.

(3) The members of the Corporation shall at all times be

subject to the rules of the Corporation.

(4) The rules made under this section shall be published

in the Gazette.

8. The Board shall maintain a register of members in Register of

which name, address and other essential details of the members.

members shall be inscribed.

9. (1) The Corporation shall have its own Fund. Fund of the

Corporation.

(2) All moneys received by way of gift, bequest, donation,

subscription, contribution, fees or grant for and on account

of the Corporation shall be deposited in one or more banks

approved by the Board to the credit of the Corporation.

8 Mohan Lal Grero Foundation

(Incorporation) Act, No. 20 of 2014

(3) There shall be paid out of the Fund, all sums of money

as are required to defray any expenditure incurred by the

Corporation in the exercise, performance and discharge of

its powers, duties and functions under the Act.

Accounts and 10. (1) The financial year of the Corporation shall be

auditing.

the calendar year.

(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

annually by the Auditor General or a qualiafied auditor

appointed by Auditor General in terms of Article 154 of the

Constitution.

(4) For the purposes of 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 practise as an

Accountant, issued by the Council of 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 Sri Lanka or of any

other institute established by law, possesses a

certificate to practise as an Accountant issued

by the Council of such Institute.

Annual Report. 11. (1) The Board shall prepare a report of the activities

of the Corporation for each financial year and submit such

report together with the audited statement of accounts to the

Mohan Lal Grero Foundation 9

(Incorporation) Act, No. 20 of 2014

Secretary to the Ministry of the Minister assigned the subject

of Education and to the Registrar of Voluntary Social

Services Organizations appointed under the Voluntary Social

Services Organization (Registration and Supervision) Act,

No. 31 of 1980 before the expiration of six months of the

year succeeding the year to which such report relates.

(2) A separate Account relating to the foreign and local

moneys received by the Corporation during the financial

year shall be attached to the report referred to in

subsection (1).

12. All debts and liabilities of the Foundation existing Debts due by

on the day immediately preceding the date of commencement and payable

to the

of this Act, shall be paid by the Corporation hereby Foundation.

constituted and all debts due to and subscriptions and

contributions payable to the Foundation on that day shall

be paid to the Corporation for the purposes of this Act.

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

shall be able and capable in law to take and hold any property, hold property

movable and

movable or immovable, which may become vested in it by immovable.

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

rules of the Corporation made under section 7, with power

to sell, mortgage, lease, exchange or otherwise dispose of

the same.

14. The moneys and property of the Corporation Application of

however derived shall be applied solely towards the moneys and

property.

promotion of the objects of the Corporation and no portion

thereof shall be paid or transferred directly or indirectly by

way of dividend, bonus or profit to the members of the

Corporation.

15. (1) The seal of the Corporation shall not be affixed Seal of the

Corporation.

to any instrument whatsoever, except in the presence of two

members of the Board 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.

10 Mohan Lal Grero Foundation

(Incorporation) Act, No. 20 of 2014

(2) The seal of the Corporation shall be in the custody of

an office bearer of the Board as may be decided by such

Board.

Property 16. (1) If upon the dissolution of the Corporation there

remaining on

dissolution. 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 any other institution having objects

similar to those of the Corporation, and which is by the

rules thereof, prohibited from distributing any income or

property among its members.

(2) For the purposes of subsection (1) the appropriate

institution shall be determined by the members of the

Corporation immediately before the dissolution at a general

meeting by the majority of votes of the members present.

Saving of the 17. Nothing in this Act contained shall prejudice or

rights of the affect the rights of the Republic or of any body politic or

Republic and

corporate.

others.

Sinhala text to 18. In the event of any inconsistency between the

prevail in case Sinhala and Tamil texts of this Act, the Sinhala text shall

of inconsistency.

prevail.

Mohan Lal Grero Foundation 11

(Incorporation) Act, No. 20 of 2014

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.