

# FROM THE APOSTOLIC SEE OF MALANKARA METROPOLITAN DR. THEODOSIUS MAR THOMA



## Circular No. 123

*Blessings to you all the Vicars, Resident Clergy, Trustees, Members of the Sabha Prathinidhi Mandalam and Members of all the Parishes under our authority.*

Dearly beloved in Christ,

The Constitution Amendments and resolutions that were approved in the special session of the Sabha Prathinidhi Mandalam that met at the Dr. Alexander Mar Thoma Valiya Metropolitan Smaraka Auditorium, Tiruvalla on 7<sup>th</sup>, 8<sup>th</sup>, and 9<sup>th</sup> February 2024 (Wednesday, Thursday, and Friday) presided over by the Metropolitan, were approved by the Episcopal Synod held on 19<sup>th</sup> and 20<sup>th</sup> February 2024, as per Clause 107 of the Church Constitution. These Constitution Amendments and resolutions are hereby published and given below for the information of all. It is hereby informed through this Circular that all affairs of the Church, parishes, and institutions are to be implemented and directed in compliance with them.

Grace be with you all.

Dated 4<sup>th</sup> March 2024 from Poolatheen, Tiruvalla



**Dr. Theodosius Mar Thoma Metropolitan**

**Mar Thoma Sabha Prathindhi Mandalam**  
**2024 February 7, 8, and 9 (Wed, Thu, Fri)**  
**Dr. Alexander Mar Thoma Valiya Metropolitan Smaraka Auditorium, Tiruvalla**

**Constitution Amendments Presented and Approved in the Special Mandalam**

**Chapter I: Declarations**

**Section 5 B**

In this Constitution, "Church" means the Malankara Mar Thoma Syrian Church.

**Section 6**

The Malankara Mar Thoma Syrian Church has had at all times, and shall have a Mar Thoma Metropolitan as its supreme head, along with such number of Bishops as expedient, and ordained clergy and deacons.

**Chapter II: Ministry**

**Section 7**

**Mar Thoma Metropolitan:** The Mar Thoma Metropolitan, who is the Head of the Malankara Mar Thoma Syrian Church, shall be installed from among the duly consecrated Bishops of the Church, the choice being ordinarily that of the senior most among them (and in the case of Bishops consecrated at the same time, the senior in age, being reckoned as the senior in office). The Mar Thoma Metropolitan installed in this manner is referred to as the "Metropolitan" in this Constitution.

The Mar Thoma Metropolitan shall, by virtue of the office, be trustee of the Church, together with the elected trustees.

**Section 7A (3)**

The Metropolitan, who has relinquished office, shall thereafter be known as Mar Thoma Valiya Metropolitan and he shall continue to be a member of the following constitutional bodies of the Church viz., Episcopal Synod, Sabha Prathinidhi Mandalam and Sabha Council. The Church shall make all necessary arrangements to maintain and provide for the lifetime sustenance and well being of the outgoing Metropolitan.

**Section 8 (1)**

To assist the Metropolitan, there may be one or more Bishops elected and consecrated as expedient from among the members of the clergy of the Church in accordance with the provisions of this Constitution.

**Section 9**

**Episcopa:** The Episcopa shall be spiritual father to the Christian community, a Chief Shepherd for the Shepherds of the flock of Christ, visiting, teaching and admonishing them.

He will ordain Ministers and authorise them to celebrate sacraments, perform other ministrations and preach the Word and give direction for teaching of Christians and for lawfully baptising those who embrace the Christian faith and those who request in writing, of their own free will and volition, to be baptized, and making them members of the body of Christ.

He will oversee the conduct of public worship and observance of religious rites, dedicate churches and enforce Church regulations;

He will take appropriate disciplinary action in consultation with the Synod, including excommunication from the Church, against unrepentant persons, living in open immoral life and persons who violate the laws of the Church or work against the interests of the Church, the Diocese, the Parish, or the recognized institutions of the Church, who intentionally cause disruption to the administration and day-to-day activities of the Church and Parishes, and those who disturb the general discipline and dignity of the Church, and upon repentance by them, in his discretion, re-admit them to the Church or remit other punishments inflicted on them.

Provided that in respect of offences other than violation of faith and observances of the Church, excommunication from the Church, shall not be ordered, except in accordance with the recommendation of a committee of enquiry.

Exercise of the aforementioned powers shall be, subject to decisions of the Mandalam and Rules and other provisions, regulating exercise of powers vested in the Episcopa, in force at the material time.

**Section 9A**

Due to health reasons or other circumstances, if an Episcopa on his own volition decides that it is difficult to continue performing the duties of the position, the Episcopa may inform the Episcopal Synod about this situation, and upon receiving approval from the Synod, and with the knowledge of the Sabha Council and the permission of the Metropolitan, the Episcopa may relinquish the powers and duties vested in him as an Episcopa, from such specific date to be announced.

In cases where an Episcopa is unable to carry out the duties and responsibilities related to a Diocese due to health reasons, the responsibilities vested in the Episcopa shall be assumed by the Metropolitan, with advice from the Episcopal Synod, from such specific date to be announced. The Metropolitan may also delegate the duties and responsibilities to other Episcopas as expedient.

### **Section 10**

#### **Head of the Diocese**

The Episcopa placed in charge as the Head of a Diocese, from time to time, shall, in his capacity as the spiritual father and Chief Shepherd, visit parishes and institutions in the Diocese and exhort, encourage and admonish the flock, and as the occasion requires;

with the permission of the Metropolitan, ordain deacons and ministers;

effectively direct exhortation to Christians and promotion of evangelisation;

oversee administration of sacraments and conduct of public worship;

and with the permission of the Metropolitan, consecrate altars and churches;

maintain proper discipline among the members of the Church, by resorting, where necessary, to disciplinary powers, including those referred to in Section 9 above and if he is satisfied that any minister in his Diocese has committed any misconduct, admonish him and report the matter to the Metropolitan;

accord approval to election of lay vice presidents, trustees (finance), trustees (accounts), secretary and lay ministrants and for proper and valid reasons, remove them from such offices;

examine or get examined the accounts and other records of parishes and other institutions;

direct submission of receipts and payments, income and expenditure accounts and balance sheet and annual budgets and accord approval to the same;

oversee the administration of educational institutions and other institutions of the Church, located in his Diocese;

celebrate sacraments and conduct public worship in parishes, as and when considered necessary;

call for explanations in regard to reports or complaints received from Ministers, lay persons, or other individuals and cause enquiry to be conducted into the same, either directly or through commission and where misconduct is established, order appropriate punishment on the offenders and suspend alleged offenders, pending enquiry against them;

hear and decide appeals preferred against the decisions of Vicar, Edavaka Sangham, Committees or other administrative authorities;

and exercise such other powers, as may be conferred on him, from time to time;

The Episcopa shall submit a report on the administration of the Diocese, once in every six months, to the Metropolitan.

### **Section 12A**

#### **Dayaraya Community, Sanyasini Community, Ashrams:**

The Church shall identify dedicated and celibate members of the Church, irrespective of gender, for the ministry of the Church, provide special training and fellowship, and shall maintain the Dayaraya community, sanyasini community and ashrams. They shall act according to the rules established by the Episcopal Synod in consultation with the Sabha Council from time to time.

The Church shall make all necessary arrangements to maintain and provide for the sustenance, well being and functioning of those selected for such communities.

### **Section 15**

15. On the said resolution being passed, the Mandalam shall constitute an Episcopal Nomination Board, consisting of the Metropolitan, one Episcopa nominated by the Synod, the Sabha Secretary and 22 other members elected by the Mandalam from among the Mandalam members, for nominating Ministers, suitable to be raised to the Episcopate. Beside the Metropolitan and the nominated Episcopa, the Board shall have on its membership, 9 Ministers and 14 lay persons. The Metropolitan, the nominated Episcopa and the Sabha Secretary shall, respectively be the President, Vice-president and Secretary of the Board. The quorum of the Board shall be 13.

15 (1). Vacancies caused by the resignation of any of the members of the Board or if caused by unforeseen events shall not affect the further functioning of the Board. However if the Metropolitan deems it necessary that vacancies occurring in the members of the Board should be filled, the Metropolitan may appoint, in the order of preference, those who have received the next highest number of votes in the respective elections held originally for the Episcopal Nomination Board, to fill that vacant position.

15 (2). The Episcopal Nomination Board shall formulate the necessary Rules of Procedure for the functioning of the respective Board.

### **Section 16**

16. The Clergy nominated for the Episcopate should possess the following qualifications:

**16.a.** He should have attained common acceptance, by virtue of good character, good conduct, right doctrines, stability of faith, pious disposition, mature judgement, and general efficiency.

**16 (1).** The proposed Clergy-nominee should, pursuant to Section 17, have completed 40 years of age, and 15 years of service in the Ministry and is still in active service on or before the last date specified in the Circular sent by the Metropolitan to Parishes requesting for the names of those qualified for the Episcopate to be forwarded to the Metropolitan.

**16 (2).** Although according to the Bible, an Episcopa may be a married person, it is deemed necessary to continue the ancient custom, requiring Episcopas of the Malankara Mar Thoma Syrian Church, to be celibates and therefore persons nominated for episcopal candidature, shall be celibates.

#### **Section 17**

The Metropolitan shall issue a Kalpana (Circular) to all the parishes requiring that special prayers be offered so that the choice of person(s) to the Episcopate may be in accordance with the will of God and intimating that the members of the Church shall be entitled to send to the Sabha Secretary in the prescribed Form (A9), names of persons qualified for the Episcopate, within a time to be specified in the Circular. A copy of the Kalpana shall be published in the Sabha Tharaka and also in such other publications as the Sabha Council may direct.

#### **Section 19**

The Board shall meet expeditiously and upon due consideration of the names in the list, prepare a list of name(s) of person(s), who meet the qualifications specified in Section 16, found suitable to be placed before the Mandalam, and forward said list to the Sabha Council.

#### **Section 20**

The Metropolitan shall, thereupon, issue a Kalpana to all the Parishes, directing that the list be published in the Parishes and specifying that any member of the Church, who has any reasonable objection to any person in the list, may, within the time specified therein, communicate his objections to the Secretary of the Board and notifying also the place, date and time, at which the Board will meet, to hear the objections and that the objectors will be at liberty, to produce evidence before the Board and further that any objections received after the specified date, will not be entertained. There shall be an interval of not less than seven days between the date specified for submission of objections and the date of the hearing by the Board. The Board shall meet at the place and time notified and receive 'in camera', evidence tendered; reject such objections as should be rejected and accept such objections as should be sustained and prepare a list of names of persons, who in the opinion of the Board, are in every respect, fit, in accordance with these provisions and forward the said list to the Sabha Council. The Board's function shall cease with the submission of this List to the Sabha Council.

#### **Section 21**

Thereupon, the Sabha Council shall determine the place, date and time for a Special meeting of the Mandalam to be convened, to hold the Episcopal Election. The Sabha Secretary shall issue notice for the Special meeting, not less than two months before the date of election, to all the Parishes and Mandalam members notifying the aforementioned details and setting out the names of the nominated persons.

#### **Section 25**

The Chairperson of that Special Mandalam meeting shall be the Metropolitan. The Metropolitan shall appoint an Episcopa as the Returning Officer. Assistant Returning officers may also be appointed as necessary. The Returning Officer shall appoint clergy (who are not nominees) and laypersons as Polling Officers as necessary. Objections to any decision of the Returning Officer regarding the election must be submitted in writing to the Metropolitan, whose decision on the matter shall be final.

#### **Section 26**

After ascertaining that no one other than the members of the Sabha Prathinidhi Mandalam are present, the Sabha Secretary shall hand over the list of registered members, the election materials, including the locked ballot box, in writing to the Polling Officer as directed by the Returning Officer. At the Mandalam meeting, the ballot boxes shall be opened, displayed, locked again, and the keys shall be kept by the Returning Officer.

#### **Section 27**

Thereupon, the President shall administer the following oath, which the members shall solemnly repeat, standing.

"Bearing in mind that the office of the Episcopa is most sacred and that it is absolutely essential that only persons fit for such sacred office, should be so elevated, I pledge before God and before this assembly, that I will not exercise my franchise influenced by favour, bias or self-interest, and that guided by considerations of the glory of God, the best

interests of the Holy Church, and the benefit of the people of God, I shall vote only for such person, as of whom I am conscientiously convinced that by good character, proper conduct, and right doctrines, he is fit for this sacred office".

### **Section 29**

After the oath, the names of the nominees shall be read aloud and the ballot book containing the ballot papers and their counterfoils printed in the form and manner prescribed by the Council and bearing the seal of the Church shall be handed over to the Polling officers.

### **Section 30**

The Mandalam members shall approach the polling officer one by one and put their signature or thumb impression on the attendance list, get the prescribed ballot paper with the polling officer's signature, enter the polling booth and mark a cross mark (+) against the name or names for which they intend to vote, and deposit the ballot paper in the appropriate ballot box kept locked and sealed, which will be separate for clergy and laity, and leave the booth. On the request of a voter who is not capable of marking his/her votes, the polling officer is permitted to mark such vote on the ballot paper of that particular voter.

### **Section 31**

Ballot papers which do not bear the seal of the Church and signature of the polling officer, or on which the cross mark (+) is not marked properly, or on which cross marks are marked against more names than are necessary, or on which any non-nominated person's name is written and voted or on which indications disclosing the identity of the voter appear, shall be invalid.

### **Section 32**

Voting will be held on the appointed day during day time, under the supervision of the Returning Officer and the ballot boxes will be opened and the votes counted, and the result recorded in such form and in such manner as prescribed by the Sabha Council, and the result shall be declared by the President. Provided however, that if the election proceedings cannot be completed on that day, the President shall have the power to defer the remaining proceedings to the next day.

### **Section 33**

Those who have secured minimum of 75% of the total polled votes of the clergy and laity, reckoned separately, will alone stand elected to the Episcopate and the President shall declare the result accordingly.

If there are more nominees than the requisite number, all the names shall be put to vote in the first instance and the names polling the least number of votes of clergy and laity, reckoned separately, shall be removed from the list and this process shall be repeated, until the number of remaining candidates, becomes reduced to the required number. If however, the original number or the balance number remaining, at any time during the electoral process, happens to be in excess of the requisite number, by only one, then and in that event, the name of the person who has polled the lowest aggregate number of votes of the clergy and the laity, put together, shall alone be eliminated.

When the number of candidates has been reduced to the required number by the process set forth above, those names will again be put to vote and those who secure not less than 75% of the total polled votes of the clergy and the laity separately, will be declared elected by the President.

If, at any stage of the electoral proceeding, one or more candidates secure not less than 75% votes of the total polled votes of both the clergy and laity, reckoned separately, the President shall declare him/them to be duly elected and the proceeding shall be continued, only for the remaining places.

If necessary, the meeting may be adjourned to the next day and the aforementioned electoral process may be continued.

The specified percentage is calculated based on the total number of ballot papers deposited in the ballot box.

### **Section 34**

If any of the candidates do not secure the required minimum percentage of votes, the President shall adjourn the meeting to the next day and conduct polling over again, for the remaining places. If the required percentage of votes, is not secured by the required number of candidates, in this process also, the President shall after declaring the names of those only who have secured the required percentage of votes, proceed to dissolve the meeting.

### **Section 35**

Upon completion of voting, the Ballot boxes shall be opened in the presence of the Returning Officer, and he shall directly supervise the counting of votes and shall take responsibility for accurately recording the result of the voting.

The Returning Officer and the officials responsible for counting shall examine the votes, reject the invalid ones and record the number of votes secured by each nominee.

**Section 36**

The elected clergy shall record his consent by executing a letter of consent and pledge of allegiance in the following form and manner, before the Metropolitan or an Episcopa appointed by him, before the commencement of the service of consecration, and shall publicly read and submit his consent to the Metropolitan during the service of consecration.

**DEED OF CONSENT AND OATH OF FIDELITY**

In the name of the Triune God, the Father, the Son and the Holy Spirit, Amen.

I, ..... elected to the Episcopate of the Malankara Mar Thoma Syrian Church, in good faith, and of free will and consent, deem the selection by the Church as a divine call to the sacred Episcopate and accept the same, and in humility, consent to be consecrated and anointed as Episcopa of the said Church. I sincerely affirm and in good faith declare and promise in the name of the Holy Trinity and before the exalted presence of His Grace ..... the Metropolitan on the throne of Saint Thomas, the Apostle (before this assembly, convened and constituted by the Metropolitan).

That the sixty-six books comprising the Old and New Testaments as canonically accepted, contain all true faith and teachings necessary for the salvation of humanity and that I will not teach or countenance any doctrine or practice, contrary to or irreconcilable with the word of God therein contained.

That I acknowledge all the teachings and doctrines of this Church and I whole-heartedly agree to be subject to all the ordinances, practices and the Constitution and obey all lawful decisions and resolutions of the duly constituted Prathinidhi Mandalam and conduct myself in accordance therewith. I covenant to observe and teach the faith of Jesus Christ, our Lord, and maintain the doctrines and discipline recognised and accepted by this Church. In addition, I declare that I accept the Constitution of the Church and I promise to be bound by all the accepted regulations and practices in vogue in this Church today and in case any departure therefrom is lawfully ordained by competent authority during the period of my Episcopate, to be bound by such departures too.

That I undertake that I will not at any time utilise my authority, power or influence which may accrue to me by virtue of my position, against the interests of this Church or in such manner as may prejudice, in any measure, its Apostolic Succession or its autonomy. I hereby covenant that except in the manner so enjoined by the Constitution, I will not sell, encumber or make gift of any property belonging to the Church or in the custody of this Church in trust, or act in any manner prejudicial to any right or privilege now possessed by or may hereafter accrue to the Church.

All movable and immovable properties, assets, bank deposits and investments, whether presently held by me or coming to be held by me hereafter, other than my ancestral property, after my induction into this position, and so also any part-interests becoming vested in me, in any assets or investments, other than my ancestral property, after my induction into this position, shall belong to the Malankara Mar Thoma Syrian Church.

That from this moment, for all time, I shall be faithful, loyal and obedient to this Church and to its duly installed Metropolitan. I shall endeavour to the best of my God-given ability and discretion to maintain intact the rights, privileges and powers of this Church and the Constitution and to promote, encourage and further the progress and growth of this Church, the propagation of the Gospel and the extension of the Kingdom of God, and to discharge the duties pertaining to my sacred office in faithfulness and fidelity. I sincerely promise that to the best of my powers, I shall maintain the Church's doctrines, worship, discipline and form of administration, and protect and support the Church, not only against all heresies and schisms but also everything opposed to true doctrines and the power of godliness.

I shall not form societies and trusts or direct such activities without the requisite decisions of the Church or the concerned Diocese or institutions.

If at any time, I happen to act in violation to the regulations, principles and ordinances of this Church or against the Constitution or in contravention of this my deed of covenant, I shall thereupon be divested before God and before this Holy Church of all Church-related and temporal powers, privileges and functions, pertaining to my office.

In the event of violation of my Episcopal Oath, I shall be subject to the actions taken under Section 70B of this Constitution.

I execute this covenant before God Almighty and I promise that I will, all the days of my life, maintain and fulfil this covenant in whole and in part. So help me God.

I, the above-mentioned ..... have written this, in my own hand and affixed my signature hereto.

Date:

Place: \_\_\_\_\_ (Signature)

Witness: i) \_\_\_\_\_ (Signature)

ii) \_\_\_\_\_ (Signature)

Declared and signed on this the ..... day of ..... year ..... in the presence of the witnesses herein-before described and before the Metropolitan (or the delegates).

Metropolitan / President of the Meeting \_\_\_\_\_ (Signature)

### **Section 70B**

The Metropolitan shall have the power to take action, if necessary, with the advice of the Episcopal Synod, on the recommendation of a Commission of Inquiry, and the decision of the Metropolitan shall be final, in respect of acts contrary to the written deed of consent and oath of fidelity submitted by the Episcopa of the Church and the written oath of affirmation submitted by the Clergy of the Church on assumption of respective offices, or any other complaints against clergy, and the decision of the Metropolitan shall be final. But in cases of emergency the Metropolitan shall have the power to take disciplinary measures apart from these. The said decision shall be reported to the Sabha Council and to the Sabha Prathinidhi Mandalam.

The functions performed by an Episcopa who is subjected to disciplinary proceedings may be assumed by the Metropolitan, with the advice of the Episcopal Synod, until further administrative setup is instituted.

## **Chapter X**

### **Section 206**

The Secretary's responsibilities shall include maintenance of such records as are directed by the Diocesan Council and the Sabha Council, correspondence (under the Episcopa's direction) with the Metropolitan, Sabha Council and other Diocesan Heads, maintenance of receipts and payments accounts, income and expenditure accounts, and presentation of annual report, receipts and payments accounts, income and expenditure accounts, and balance sheet in the Assembly (as per the Council's direction) and answering interpellations, in the Assembly.

Provided that the Council may depute, any other person from among themselves, to answer interpellations in the Assembly.

### **Section 213**

Annual report, receipts and payments accounts, income and expenditure accounts, balance sheet, and budget shall be passed at the annual meeting of the assembly.

### **Section 216**

If the President or the Council so directs, or if a minimum of twenty percent of the Assembly/Zonal Assembly members make a requisition in that behalf to the Secretary, together with the proposed subject for consideration, the Secretary shall, under the direction of the President, convene a special session of the Assembly/Zonal Assembly.

## **Chapter XI: Election to the Assembly**

### **Section 228**

On receipt of the Kalpana, the Vicar may, in consultation with the Kaisthana Samithi, convene a meeting of the Edavaka Sanghom, as expeditiously as possible, by public announcement in the Church, on two consecutive Sundays (during weekly worship service), with a copy of such publication affixed on the notice board of the Church, in order to explore the possibility of unanimous election. Such publication/notice shall contain, the number of representatives to be elected as well as other necessary information.

Representatives to the Assembly may be unanimously elected in the meeting so convened and such proceeding shall be deemed to be valid election.

### **Section 229 (1)**

If the election is not unanimous in accordance with Section 228 above, the Vicar shall convene the Kaisthana Samithi (Executive Committee) and fix the date on which the Edavaka Sanghom (General Body) shall meet to conduct the election by secret ballot, and a new election notification shall be made as mentioned in the previous section. In addition to the information mentioned in the previous section in the notification so given, the last date, time and place for submission of nomination papers in the form of B (1) attached to the Appendix to the Constitution; the date, time and place of scrutinizing of nomination papers; the last date and time for withdrawal of nomination papers; the date, time and place of polling; the date, time and place of declaring the results after counting of votes shall be included. The above information in the election notification shall be recorded in the minutes of the Kaisthana Samithi meeting convened as prescribed in this section. A copy shall be published on the notice board of the Church.

In places where there are practical difficulties to publish on the notice board of the Church the documents/notices related to the election proceedings referred to in this chapter, other suitable arrangements shall be made as directed by the Diocesan Episcopa in this regard.

### **Section 229 (2)**

On the day of second publication of notice, nomination papers shall be submitted before the Returning Officer within the specified time, and the nomination papers shall be scrutinized, at the specified time on the same day.

### **Section 230**

As far as possible, the election shall be conducted on a day other than Sunday.

### **Section 231**

All persons, whose names appear in the Edavaka Sanghom Register, revised and finalised, in terms of Section 319 and who are not below 24 years of age and whose membership in the Edavaka Sanghom has not been barred, by appropriate ecclesiastic authority, are eligible to be candidates in the election.

### **Section 232**

Nominations shall be made in prescribed form of B(1) and every proposer shall be entitled to propose as many persons, as have to be elected from the respective parish, but not exceeding the said number.

Every nomination paper shall have a proposer and a seconder.

In the event that any person has proposed or seconded more nominations, than the number of persons to be elected, all such nominations, shall be treated as invalid.

### **Section 233**

Nomination papers shall be submitted to the Returning Officer, within the time specified. Scrutiny of nominations shall be conducted by the Returning Officer at the date, time and place specified in the notification. In scrutiny, nominations found valid shall be accepted as such and those found invalid, shall be rejected.

### **Section 234**

The candidate, proposer, or seconder may be present during the scrutiny of the nomination papers.

### **Section 235**

Immediately after the scrutiny, the names of the accepted nominees shall be published on the notice board of the church.

If the number of accepted nominees exceeds the number of representatives to be elected, the names of the nominees must be publicly announced in the church on the Sunday or the day of worship preceding the election. The list of names, prepared in the English alphabetical order, must be recorded in the form of B(2) attached to the Appendix of the Constitution, and published on the notice board with the signature of the Returning Officer.

### **Section 236**

If, by the end of the time specified for withdrawing the nomination papers, the number of nominees does not exceed the number of representatives to be elected from the parish, the Returning Officer shall declare all the nominees as elected. This announcement must be published on the notice board. The above procedures must be recorded in the Edavaka Sanghom minutes book, and signed by the Returning Officer. A true copy of this record certified by the Vicar must be sent to the Diocesan Episcopa for approval.

If the number of nominees is less than the number of representatives to be elected, and if reservation provisions need to be followed, the nominees meeting the reservation criteria shall be declared elected. For the remaining vacant position(s), the election procedures from the public announcement onwards shall be repeated until the election is completed.

### **Section 237**

If any nominee dies before the election, his name shall be deleted from the list of nominees.

### **Section 238**

If, by the end of the specified time for withdrawing nomination papers, the number of nominees exceeds the number of persons to be elected, the election shall be conducted by means of ballot.

### **Section 239**

The Returning Officer for the election shall be the Vicar of the Parish, or in his absence, the Co-Minister.

Provided that the Diocesan Episcopa shall have the power, to appoint any other person, as Returning Officer, if, in his discretion, he considers it appropriate.

### **Section 241**

The election shall be held by secret ballot; proxy is not allowed.

The candidate or a member of the Edavaka Sanghom nominated by the candidate may be present at the polling booth at a location designated by the Returning Officer during the election.

Before the commencement of the election, the ballot box or boxes shall be inspected in the presence of the candidates or members of the Edavaka Sanghom, locked by the Returning Officer, and sealed after the polling is completed.



### **Section 242**

The Polling Officer shall give the ballot paper in the form of B(3) annexed to the Constitution to the voter, upon affixing his own signature on the reverse side and he shall indicate that fact by obtaining the voter's signature or thumb impression, in the voters list.

## **Chapter XII: Assembly - Procedure**

### **Section 267**

Members shall accept the Diocesan Secretary's notice, convening the Assembly, and be present in the House, at the appointed time.

### **Section 276**

After the President's introductory address, the Secretary shall submit the previous year's annual report, audited receipts and payments accounts, income and expenditure accounts and balance sheet for the approval of the Assembly. Subsequently, the Treasurer shall submit for approval the expenditure, without the budget and/or in excess of the budget, along with the necessary explanations.

### **Section 277**

After the aforementioned presentations have been seconded, the members shall have the right to interpellate the Secretary on any matter mentioned in the annual report or about the receipts and payments accounts, income and expenditure accounts and balance sheet, or about anything that has happened in or in relation to the Diocese during the report-year, and the Secretary or such other member, as may be authorised in that behalf by the Council, shall answer such interpellations.

The proposed interpellations shall be sent in advance to the Secretary, so as to reach him, seven days before the Assembly-meeting.

No member may ask more than three questions.

Supplementary questions may however be asked, with the permission of the President.

The President may reject any question, which he considers improper.

Not more than one hour will be allowed for interpellations.

### **Section 278**

Following interpellations and general discussion on the report, and receipts and payments accounts, income and expenditure accounts and balance sheet, the President shall put the same to vote and the report shall be approved and the receipts and payments accounts, income and expenditure accounts and balance sheet passed, as per majority of votes.

Members of the Assembly have the right to move amendments to the report and accounts. Such amendments should have been received by the Secretary, seven days in advance of the Assembly Session. Amendments shall be moved after interpellations and upon conclusion of discussion thereon, the amendments shall be put to vote in the first instance.

Subsequent to discussion on the report and the receipts and payments accounts, income and expenditure accounts and balance sheet, they shall also be put to vote, for approval of the report and passing of the receipts and payments accounts, income and expenditure accounts and balance sheet.

### **Section 280**

The President may determine the order in which the subjects on the agenda may be taken for consideration. As each item is taken, a member of the Council or such other person as may be authorised by the Council, shall present the motion explaining its purpose and after motion is seconded, it shall be discussed and then put to vote and decided.

Members of the Assembly have the right to move amendment motions to the original motions. Such amendment motions should have been received by the Secretary, seven days in advance of the Assembly meeting. Amendments shall be moved after the original motion is seconded, whereupon the amendments shall be first put to vote and decided.

Subsequent to discussion on the main motion, as modified by approved amendments, it shall be put to vote and decided.

### **Section 290**

Minutes of the proceedings shall be recorded by the Secretary or the Recording Secretary and presented to the Assembly for approval, before the close of the meeting on the same day or in the morning on the next day, before commencement of the meeting. However, minutes of the final day's meeting, shall be presented before the closing

prayer and benediction. Minutes approved by the Assembly shall be signed by the President immediately thereupon and shall be kept by the Secretary.

Quorum referred to in Section 214, shall not be obligatory, at the time of presentation of minutes of the proceedings for approval, and approval of the minutes shall be valid and in order, irrespective of the attendance in the house, at that time.

### **Section 291**

Three copies of the decisions of the Assembly shall be sent to the Episcopal Synod, through the Diocesan Episcopa within fifteen days of the meeting. Two copies of the decisions approved by the Synod, will be sent by the Convenor of the Synod, to the Diocesan Office. One of the two copies shall be kept in the files of the Diocesan Office and the other copy shall be sent to the Sabha Secretary. The approved decisions shall be published by the Episcopa, by means of Kalpana and thereupon the said decisions shall become binding on the Diocese.

Additionally, three copies of the decisions, audited receipts and payments accounts, income and expenditure accounts and balance sheet of the trusts and societies formed or being formed by the Assembly members for the Diocesan Assembly, shall be sent as mentioned above for the information of the Episcopal Synod, with one copy also sent to the Sabha Secretary.

### **Section 318 (5)**

Any woman coming back to reside, within the boundaries of the parish of her paternal home, following the death of her husband or upon alteration of her marital status by legal proceedings viz., nullity, divorce or judicial separation, or in such circumstances where normal life with the husband is impossible even without legal proceedings, may submit a special application along with an affidavit, incorporating the relevant facts, to the Vicar of that parish, for membership in the parish. The Diocesan Episcopa may admit such applicant to membership in that parish, based on the report of the Vicar.

### **Section 318 (6)**

In the event that any woman referred to sub-section (5) desires to be admitted to membership in another parish, by reason of special circumstances, she may submit an application in that behalf, to the Vicar of that parish, supported by an affidavit incorporating the relevant facts. The Vicar shall thereupon forward the application to the Diocesan Episcopa, with his report, and the Diocesan Episcopa shall make a decision on the application. Thereupon, the Vicar shall proceed to take further action, in conformity with the decision of the Diocesan Episcopa.

### **Section 318A**

It is the Christian duty of every earning parish member, to contribute voluntarily a definite sum, to meet the financial requirements, in connection with the maintenance of the parish and its Christian witnessing. A list of such contributions and promises shall be regularly maintained and shall be presented to the Edavaka Sanghom, along with the audited receipts and payments accounts, income and expenditure accounts and balance sheet, and the budget.

### **Section 319**

All persons whose names are borne on the parish register, who receive Holy Communion in the parish and who have completed 18 years of age and whose membership in the Edavaka Sanghom has not been barred, by appropriate ecclesiastical authority, are entitled to be members of the Edavaka Sanghom (General Body of the Parish).

The Vicar shall prepare and maintain the register of members of the Edavaka Sanghom (General Body), in accordance with the procedure prescribed by the Episcopal Synod, from time to time. Persons whose names are borne on the Edavaka Sanghom Register, shall alone be reckoned as members of the Edavaka Sanghom.

The Edavaka Sanghom register shall be revised and updated every year, by 15<sup>th</sup> January. A copy of the revised register shall be published by affixture in the Church, so that all concerned persons can see the same. In places, where there is difficulty to make such publication by affixture in the Church, other appropriate arrangement may be made, as per the direction of the Diocesan Episcopa. Objections, if any, to the published list, shall be given in writing to Vicar, within 10 days of publication and the Vicar shall consider the objection and decide the same and proceed to publish the final list thereon within seven days. Any person aggrieved by the decision of the Vicar, may appeal to the Episcopa, within seven days of publishing the final list. The Episcopa's decision on the appeal, shall be final.

Any person eligible for membership in Edavaka Sanghom and whose name is not included in the Edavaka Sanghom register, may present a special application to the Vicar, for inclusion of his name in the register, at any time, between general revisions and the Vicar shall take appropriate action thereon, in accordance with the existing rules of procedure. However, no new names shall be added in the Edavaka Sanghom register, from the time of notification for any election in the parish, until after the election is over.

The clergy appointed to a parish/parishes by the Kalpana of the Metropolitan shall automatically have membership in the appointed parish/parishes. However, upon receiving a transfer Kalpana to another parish/parishes, they will cease their membership in the previous parish/parishes and gain membership in the newly appointed

parish/parishes. The family members of the appointed clergy shall have membership in the parish where their residence is located. Upon receiving a transfer Kalpana, the family members gain new parish membership in the newly appointed parish or the parish where their residence is located, and cease membership in the previous parish.

The clergy and their family members appointed to institutions or organizations of the Church shall receive membership in any parish within the diocese where the institution is located, based on their application.

### **Section 320**

A member of one parish of the Mar Thoma Syrian Church, may be admitted to membership in another Parish, only on production of a Transfer Certificate (TC) from the Vicar of the former parish.

However, if due to any special circumstances, the person concerned is not able to obtain the aforementioned certificate, he may nonetheless be granted membership in the new parish, under the authority of a Kalpana of the Diocesan Episcopa of the parish, where fresh membership is being sought.

Grant of membership to a person, in a new Parish, as per the provisions of this Section, shall be intimated by the Parish Vicar to the former Parish.

### **Section 391**

This Constitution came into effect in AD 1908, having been approved by the then-existing Samudhaya Alochana Samithi and known as the Malankara Mar Thoma Suriyani Kristhyaani Samudhaya Bharana Kramam (Constitution), has been amended from time to time in accordance with the provisions of the Constitution, and continues to be in force.

### **Other Decisions**

1. Section 9B: The Mandalam unanimously approved the proposal of the Metropolitan that the subject matter under Section 9B, be deliberated upon and decided by the Episcopal Synod, and be presented as the official Constitution Amendment motion at the 2024 Annual Mandalam meeting.
2. It was unanimously decided that it is sufficient to consider Sections 9C and 9D as Constitution Amendment motions, during the next Annual Mandalam meeting, subsequent to the decision on Section 9B.
3. The Mandalam unanimously accepted the proposal of the Metropolitan that it would be best to present the Constitution Amendment motions of the remaining Sections, which have been presented for discussion in the Special Mandalam but yet to be decided, in a special session of the 2024 Annual Prathinidhi Mandalam, and be deliberated and decided.
4. It was decided that the existing Constitution Revision Committee shall continue. It was also decided that the Amendment motions that were prepared and distributed among the Mandalam members, but were not considered due to time constraints, shall be studied by the Sabha Council in detail, and be presented in the next special session of the Mandalam.