

MAR THOMA SYRIAN CHURCH OF MALABAR

CONSTITUTION (English Version)

2002

CHAPTER XIV

PARISH (EDAVAKA)

318

1. All members of the Malankara Mar Thoma Syrian Church, who participate in Congregational worship in a Parish-Church and have their names borne in the Edavaka Register of that Parish, are members of that Parish.
2. If persons belonging to other denominations, desire to join the Mar Thoma Church, upon accepting the faith and practises of Mar Thoma Church and makes a request in writing in that behalf to the Parish-Vicar, he may, upon taking into consideration, the bonafides and genuineness of the application and views of the Parish members, in his discretion, admit suggest persons and the children in their protection, to membership of the Sabha (polity of the Church) and of the Parish. The Vicar shall ensure that the persons who are admitted to membership of the Church, have received baptism. The Vicar shall obtain an affidavit from persons newly admitted to the membership of the Church. Members of the CSI, seeking admission to Mar Thoma Church, shall be admitted only as per existing agreement between the two Churches.
3. If persons belonging to other religions, who accept Christian faith, decide to join the Mar Thoma Church, upon accepting the faith and practices of the Church and make application in writing, in that behalf, to (the) Parish Vicar, he may, upon taking into consideration the bonofide and genuineness of the application and the views of the Parish members, in his discretion, baptize such persons and the children in their protection and admit them to the Sabha (polity of the Church) and the Parish. Affidavit shall be obtained from persons becoming members of the Church, under this provision.

318-A

1. It is the Christian duty of every 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 may be presented to the Edavaka Sanghom, along with the past year's income and expenditure account and the current year's budget.

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 Parish membership has not been barred in any disciplinary proceedings, by appropriate authority, are entitled to be the members of the Edavaka Sanghom (General Body of the Parish). The Vicar shall prepare and maintain the register of the 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's register, shall alone be reckoned as members of the Edavaka Sanghom.

Edavaka Sanghom register shall be revised and updated every year, by January 15th. 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 a 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 revised register shall be given in writing to the Vicar, within 10 days of publication and the Vicar shall consider the objection and decide the same and proceed to take appropriate follow-up action thereon. Any person aggrieved by the decision of the Vicar, may appeal to the Episcopa, within one week of the Vicar's decision. The Episcopa's decision in appeal, can 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.

319-A

Parish members may examine Edavaka register and Edavaka Sanghom register with the permission of the Vicar, in his presence or in the presence of any other person, duly authorized by the Vicar in that behalf.

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 certificate of 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, in which fresh membership is 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 of the former Parish.

321

A person desiring to become a member of another Parish, in the same diocese, without any change of residence, may be admitted to membership in such a new Parish, only with the permission of the Diocesan Episcopa or the Vicar-General.

322

A family or individual taking up residence within the limits of another Parish may be admitted to membership in the new Parish, without relinquishing membership in the former Parish, upon production of a certificate, in that behalf, from the Vicar of the first Parish. However, if due to any special circumstance, 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. A member will have Edavaka Sanghom membership and the right of franchise to the Diocesan Assembly and Prathinidhi Mandalam, only in one Parish, at one time. A person applying for admission to a new Parish, shall give a written declaration of the Parish, he is opting for such rights and the Vicar shall give information of the said declaration, to the Vicar of the other concerned Parish. In case of failure on the part of the concerned member to give the aforementioned written option, in his right of Edavaka Sanghom membership and the franchise to the Assembly and Prathinidhi Mandalam, shall be in the new Parish to which he has been admitted.

PRAYER GROUPS

323

For purpose of fulfillment of the spiritual and temporal commitments of the Parish, the Kaisthana Samithi (Executive Committee) shall, ordinarily divide the Parish into prayer groups, made up of families and other individuals consistent with geographical viabilities of the place.

324

The Vicar of the Parish shall be the president of the prayer groups. The prayer groups may elect other necessary office-bearers, for efficient conduct of the prayer groups.

325

Name of elected persons shall be reported to the Vicar and in the discharge of their duty, they shall be responsible to the Vicar.

326

Every prayer group shall be free to make internal decisions and implement the same, without infringing the regulatory provisions or hampering the progress of the Sabha (polity of the whole Church), the diocese and the Parish, but subject to approval of the Vicar.

327

If transfer from one prayer group to another prayer group is desired, it may be made, only upon clearing the arrears, if any, due to the former prayer group and upon obtaining permissions of the Vicar in that behalf.

328

Income and Expenditure account of every prayer group shall be presented to the prayer group at the end of the year and got approved and a copy of the account under the signature of the office-bearers, shall be forwarded to the Vicar.

OFFICE BEARERS OF THE PARISH

329

Every Parish shall have an appointed Vicar, other appointed co-ministers, according to requirements of the Parish and the following office-bearers, elected by the Parish and confirmed by the Diocesan Episcopa or by the Vicar-General, acting on his behalf viz, one or more lay vice-presidents, two trustees (a treasurer in charge of cash and assets and an accountant in charge of accounts), one or more lay ministrants and a Secretary.

330

Trustees shall be elected for a period of one year and upon approval of election by the Diocesan Episcopa or by the Vicar-General, acting on his behalf, the Vicar shall arrange execution by the trustees, of the prescribed deed of

undertaking and submit the same to the Episcopa and upon receiving the Episcopa's proceedings, confirming the appointment, it shall be published in the Church and only thereupon, the trustees shall assume office.

Subject to retention of the responsibilities and obligations vested in the previous year's Trustees, as per the provisions of the Constitution and the deed of undertaking executed by them, the Vicar may, in accordance with the other provisions of the Constitution, allow the trustees of the new year, to enter upon office, from the commencement of the financial year.

331

Trustees shall be entitled to resign from office, at any time, during the prescribed tenure and so also the Edavaka Sanghom or the Diocesan Bishop shall be entitled to remove them from office at any time during the prescribed tenure, but subject to the provisions of the deed of undertaking.

A person shall not be elected as trustee, for more than three consecutive years.

If the Diocesan Episcopa is satisfied that it is not possible to convene the Edavaka Sanghom and conduct election of trustees, he may in order to protect the financial interests of the Parish, appoint any two members of the Parish, as trustees, to hold office, until the next election.

332

In the event of a deadlock arising, in the functioning of a Parish or other institution, the Diocesan Head shall intervene and make appropriate temporary arrangement and report the same to the Metropolitan. If it happens that constitutional administration could not be re-established, within a period of 6 months, the Diocesan Bishop shall take further steps in the matter, in accordance with, the advice of the Metropolitan.

333

Subject to the provisions of the trust agreement (deed of undertaking) and decisions of the Edavaka Sanghom, the treasurer shall hold charge of the cash and assets of the Parish and the Accountant shall be responsible to maintain the accounts of the Parish.

334

The treasurer and accountant shall be jointly and severally responsible to present the accounts and balance sheet, in the prescribed form, and the annual meeting of the Edavaka Sanghom.

LAY MINISTRANT

335

In order to assist the Minister in worship service in the Minister's absence, the Edavaka Sanghom shall elect, one or more competent persons as lay ministers, in respect of which approval shall be obtained from the Diocesan Episcopa or the Vicar-General, acting on his behalf. In special circumstances, the Diocesan Episcopa may directly appoint lay ministrant and the lay ministrant so appointed, shall also be an office bearer of the Parish, within the purview of Section 329.

SECRETARY

336

The secretary shall be responsibility to maintain such records, as may be prescribed by the Edavaka Sanghom and the Diocesan Council correspond on behalf of the Parish and present the annual report at the Annual meeting of the Edavaka Sanghom.

EDAVAKA SANGHOM

337

The Edavaka Sanghom shall have power, to make rules and constitute subCommittees, from time to time, to regulate the functioning of prayer groups and institution of the Parish and to deliberate and take decisions on all matters relating to the Parish.

However, matters, which are detrimental to the common objectives and smooth functioning of the Sabha (polity of the whole Church), the diocese or the Parish, are not allowed to be made subject of consideration by the Edavaka Sanghom.

338

The Vicar shall be the President and the co-ministers (if any) and one or more lay persons elected by the Edavaka Sanghom shall be vice presidents of the Edavaka Sanghom. The Vicar and in his absence , one of the Clergy Vice presidents nominated by the Vicar, and in their absence ,one of the lay vice president nominated by the Vicar, shall preside over the Edavaka Sanghom. If it happens that the Vicar has not made any nomination, in this behalf the Edavaka Sanghom may elect one of the clergy vice-presidents and in their absence, one of the lay vice presidents, to preside and proceed with the meeting.

339

Notwithstanding anything contained in the foregoing section, the Metropolitan or the Diocesan Episcopa, or a person nominated by either of them, or the Vicar General, shall be entitled to preside over any meeting of the Edavaka Sanghom.

340

The Edavaka Sanghom shall ordinarily meet at the place and time determined by the Executive Committee. One meeting shall be held before the end of February, at which the lay vice presidents, Treasurer, Accountant, Lay Ministrants, Secretary, other members of the Executive Committee and Auditors for the coming year, shall be elected. Another meeting, which shall be the annual meeting, shall be held before the end of May and in that meeting the report, audited accounts, balance sheet for the past year and budget for the new year shall be presented. The outgoing trustees shall handover the balance cash, as per accounts, account books, receipt books, and other records to the incoming trustees.

The Kaisthana Samithi of the past year, shall continue in office, until the past year's accounts, report and balance sheet are submitted to the Edavaka Sanghom. However, the Kaisthana Samithi commits default in presenting the accounts, report and balance sheet at a duly covenant meeting at the end of May the new year's Kaisthana Samithi may be inducted into office, with the permission of the Diocesan head. Minutes of the Kaisthana Samithi shall be passed in the respective meetings.

341

Notice of meeting of the Edavaka Sanghom, setting out the dates and subjects for consideration shall be published, during worship service on two Sundays, by the Vicar and in his absence, by the Secretary, and in his absence by any other person, nominated in that behalf by the Vicar. The copy of the notice, under the signature of the Secretary, shall be affixed on the notice board. In circumstances involving practical difficulties to give notice in the above manner, the Diocesan Episcopa may sanction other suitable arrangements to give notice.

342

At the meeting of the Edavaka Sanghom, the opinion of the majority shall prevail. And if the opinion is equally divided, the opinion endorsed by the President shall prevail. Members present in the Edavaka Sanghom, shall constitute the quorum of the Edavaka Sanghom.

343

Minutes of the proceedings of the Edavaka Sanghom, shall be approved and signed in the respective meetings and a copy of the same, shall be sent, within 3 days to the Diocesan Episcopa.

344

No decision of the Edavaka Sanghom shall be implemented without the written assent of the Diocesan Episcopa or the Vicar-General. The Diocesan Episcopa alone shall have authority to keep in abeyance, decisions of the Edavaka Sanghom.

344-A

In diocese, so circumstanced, that the head of the Diocese becomes obligated to stay away from the headquarters for fairly long periods of time, in the interest of smooth functioning of Parishes in the diocese, the Diocesan Head may, with the sanction of the Metropolitan, authorize the Vicar-General, Diocese Secretary, or any senior minister, to act on his behalf, in matters of issue of marriage licence and according approval to annual election of office bearers, annual report, audited accounts, balance sheet and current year's budget of Parishes, as recorded by Section 329, 300 and 334, either in respect of the whole diocese and if the diocese has been divided into different regions, in respect of specified regions and may make necessary arrangements accordingly. Should any disputed issue arise in the performance of the aforementioned function, by authorized senior ministers, the authorized senior minister shall in of taking a decision, on such a disputed issue himself, send the related documents together with his own report, to the Sabha headquarters for decision by the Metropolitan. Approval proceedings performed by the authorized ministers shall be sent to the Diocesan headquarters from month to month.

345

In emergent situations, the Vicar may, in exercise of his inherent power, convene a meeting of the Edavaka Sanghom by public announcement during worship service on a minimum of one Sunday, so as to be held after a minimum of three days from the announcement.

346

Whenever considered necessary in that behalf, the Diocesan Episcopa or in his absence, the Vicar-General, may convene a meeting of the Edavaka Sanghom, by special notice and all subjects specified in the notice and any other subject

permitted by the President, may be considered and decided at such meeting. In emergent circumstances, the Metropolitan may also invoke this power.

347

If 20% of the total membership or an aggregate of 50 members of the Edavaka Sanghom, make a written request to the Vicar, to convene a meeting of the Edavaka Sanghom, together with the proposed subject for consideration, the Vicar shall convene the Kaisthana Samithi, as per due procedure to fix the date and place of the proposed meeting and proceed to convene the Edavaka Sanghom by due notice. In case, the Kaisthana Samithi fails to take necessary steps within two weeks, the Vicar shall nonetheless proceed to convene the Edavaka Sanghom, within 30 days from the date of request. If the Vicar also commits default in convening the Edavaka Sanghom, the matter may be reported to the Diocesan Bishop and further steps shall be taken as directed by him.

348

The Edavaka Sanghom shall have power to devise new sources of income and expenditure or modify prevailing mode of collection of existing income. Provided that no action shall be taken in these matters, in contravention of any decision of the Prathinidhi Mandalam or any kalpana of the Metropolitan or the Diocesan Episcopa. New sources of income may be devised and implemented, whether permanently or temporarily only with the sanction of the diocesan bishop.

KAISTHANA SAMITHI (EXECUTIVE COMMITTEE)

349

There shall be an Executive Committee, titled as “Kaisthana Samithi” to implement the decisions of the Edavaka Sanghom, propose subjects for consideration by the Edavaka Sanghom and help the Vicar in other ways.

350

The Vicar, co-ministers, lay vice-presidents, trustees, lay ministrants (not exceeding two as decided by the Edavaka Sanghom), secretary, representatives of prayer groups, representatives of the recognized institutions, functioning within the Parish and members of the Diocesan Assembly and the Sabha Prathinidhi Mandalam shall be members of the Executive Committee. The lay ministrant appointed by the Diocesan Episcopa, shall also be a member of the Executive Committee. Tenure of membership of Diocesan Assembly members

and Sabha Prathinidhi Mandalam in the Kaisthana Samithi will be the tenure of the said houses, as provided in Sections 78 and 194.

351

Representatives of prayer groups and the aforementioned institution shall be elected and notified to the Edavaka secretary before the meeting of the Edavaka Sanghom. In default of such notification, the Edavaka Sanghom shall have power to elect and appoint representatives of the respected institutions and prayer groups. In the first notice of the meeting convening the Edavaka Sanghom, to be held before February-end, mention shall also be made of election of representatives of prayer groups and other institutions, to be held by the said bodies.

352

Casual Vacancies arising in the Executive Committee shall be filled by the bodies, which had made the original appointments and if that is not practicable, the Executive Committee may appointments, in such vacancies.

353

Officer-bearers of the Edavaka Sanghom shall be the office bearers of the Executive Committee.

354

The Executive Committee shall meet at least four times in a year. As per notice to be issued by the secretary, as per the direction of the president.

Quorum shall be 40 % of the total number of members and the opinion of the majority shall prevail. If there is no quorum for meeting, the secretary shall issue notice again, as per direction of the president, fixing another date and including only such subjects, as have been already notified and the meeting so convened, may be proceeded with, even if there happens to be no quorum. However, a minimum of three days notice shall be given for meeting of the Executive Committee

355

If 40% of the Executive Committee members make a request in writing to the Vicar, stating the reason therefore, the Vicar shall be bounded to convene a meeting of the Executive Committee, whenever directed in that behalf, by the Metropolitan, Diocesan Episcopa or the Vicar-General.

The Metropolitan, Diocesan Episcopa or a person nominated by either of them and the Vicar General have authority, to preside over the meetings of the Executive Committee.

356

If a member of the Executive Committee, absents himself from three consecutive meetings, without notice and without sufficient reason. His membership may be terminated by a resolution passed in that behalf and those facts shall be notified to the concerned member.

357

The Executive Committee shall have a power to appoint sub Committees, to perform any function, on its behalf; Convenors of such Committees shall be appointed, from among the members of the Executive Committee itself.

358

Prescribed items of income, shall be collected and remitted to the Parish treasury, in accordance with the existing rules and practise and any modifications made from time to time.

359

Control and management of the movable and immovable properties of the Parish, shall vest in Edavaka Sanghom. This power shall be exercised, through the Executive Committee, consistent with the general interest of the Sabha and without prejudice to the decisions of the Mandalam and Diocesan Assembly.

360

The immovable properties shall be purchased, only as per the decision of the Edavaka Sanghom, in the names of the trustees of the Parish. Sale or encumbrance of immovable properties, shall be made, only as the decision of the Edavaka Sanghom and with the prior Sanction of the Diocesan Episcopa.

361

Subject to the control and direction of the Diocesan Episcopa, use of the Church (Place of Worship), Parsonage, and articles required for worship-service, shall be under the charge of the Vicar and the remaining properties. Movable, cash and documents relating to thereto, shall be in the custody of the Treasurer.

362

In order to meet day today expenditure, the Treasurer may keep with him in cash, an amount not exceeding the limit fixed by the Edavaka Sanghom. All other moneys shall be deposited in such bank, as shall be directed by the Edavaka Sanghom, from time to time, in the name of the Parish, with right of withdrawal, confined to the collective responsibility of the Treasurer and accountant or in the alternative, the treasurer and the Vicar.

363

The Treasurer shall have power and shall be bound(with out separate sanction of the Edavaka Sanghom or the Executive Committee) to remit to head quarters of the Church, customary duties and other amounts now payable or becoming payable hereafter by the Parish, as per decision of Mandalam and brought into force by the Metropolitan's Kalpana viz, KAIMUTHU, RESISA, COMMON NITHYA CHELAVU(allocated share of common expenses of the Church) and so also to expand moneys, to meet sanctioned fixed expenses of the Parish on salary of Ministers and Parish-staff and sanctioned variable expenses on materials required for worship-service, correspondence, postage, travel and other head out-goings, set out in the trust deed(deed of undertaking). However, if any expenditure on salary or other heads, it is restrained by Kalpana of the Diocesan Episcopa or the Metropolitan, such expenditure shall not thereafter be incurred until sanction is accorded, by further Kalpana.

364

Expenditure shall be incurred from the Parish treasury, only for such purposes, as have been sanctioned by the Edavaka Sanghom and approved by the Diocesan Episcopa.

However, in anticipation of sanction by the Edavaka Sanghom and approval by the Diocesan Bishop, expenditure may be provisionally incurred from the Parish treasury

up to the following limits.

1. Amount not exceeding provision, made in that behalf, in the trust deed, on the personal responsibility of the Treasurer: and
2. Amount not exceeding the amount of allocated rateable contribution by the Parish, to meet the permanent general expenses of the Sabha (Nithya Chelavu) as per decision of the Executive Committee AND, in anticipation of approval by the Diocesan Episcopa.
3. Amount not exceeding five times the amount of the allocated rateable contribution by the Parish to meet the permanent expenses of the Sabha (Nithya Chelavu), as per decision of the Edavaka Sanghom.

365

Income and Expenditure account shall be prepared periodically, at intervals not exceeding three months and the said amount and pass book shall be presented, at the meeting of the Executive Committee. Income and expenditure for the year shall be prepared at the end of the year and presented to the Edavaka Sanghom, for approval and the approved account, signed by the Vicar, secretary, accountant, Treasurer and the two auditors, shall be sent to the Diocesan Episcopa and upon return of the said document, by the Episcopa, it shall be preserved in the records of the Parish.

366

The following records shall be maintained by the Parish.

1. Edavaka Register(Parish Register)
2. Edavaka Sanghom Register
3. Baptism Register
4. Banns-Register
5. Marriage-Consent Register
6. Marriage register
7. Birthday Register
8. Funeral Register
9. Worship Service Register
10. Register of Assets and Liabilities
11. Day Book
12. Ledger
13. Stock Register over movable and immovable properties
14. Minutes book of Edavaka Sanghom
15. Minutes book of Kaisthana Samithi
16. Copies of correspondence
17. File containing kalpanas and letters

Records listed in serial Nos. 1 to 9 shall be in the custody and keeping of the Vicar; records listed in serial Nos. 10 to 13 shall be in the custody and keeping of the Trustees and the records listed in serial Nos. 14 to 17 shall be in the custody and keeping of the Secretary.

367

The Edavaka Sanghom shall have power to make, modify or cancel additional rules, not inconsistent with the provisions of above sections.