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Third Assembly of the Second Synod

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Editorial

More than two years have elapsed since the elevation of the Syro-Malabar Church to Major Archiepiscopal status. Many are heard asking: “What has the new status of our Church brought to us? Has anything changed in our Church?” This reaction seems to betray a veiled disillusionment. Those who ask this question are saying indirectly that very little has changed in the Church inspite of the new status. It is true that more than two years have passed and the Synod met four times. Then, let us remember that two years is nothing compared to the almost two thousand years of history of our Church. Habits and styles do not change easily. But they will change in due course of time because the new structures require time to get themselves established and the faithful, not excluding the hierarchy, need time to get used to them.

The third assembly of the second Synod was held at Ernakulam from 7 to 23 November 1994. On the opening day there was also a meeting of the representatives of the eparchial Presbyteral and Pastoral Councils and the Major Superiors and representatives of the Institutes of Consecrated Life in the Syro-Malabar eparchies with the Synodal Fathers. It was epoch making. It is, perhaps, the first time in the history of our Church that the entire hierarchy under the leadership of its head meets face to face a group representing the entire Syro-Malabar Church. Apparently nothing very much tangible was achieved by this encounter. Yet it was remarkable and quite impressive. That was an occasion for the hierarchy to listen to the hopes and desires as well as the anxieties of the people whom they are called to serve. It is only a beginning. Our hope is that when the Major Archiepiscopal Assembly envisaged in the Code of Canons of the Eastern Churches becomes operational there will be more such encounters. We are confident that it will have a great impact on our Church.
As in the previous assemblies of the Synod the third assembly also discussed and finalised a lot of things. They include the Statutes of the Superior Tribunal, the Permanent Synod and St Thomas Apostolic Seminary, Kottayam. The draft of the Statutes of the Major Archiepiscopal Assembly and Palliyogam were discussed and the revised draft will be sent to the eparchial Presbyterium or the Presbyteral Councils and Pastoral Councils as well as to the Syro-Malabar Religious Conference for suggestions and observations. Before finalising these drafts as well as the drafts of the particular law on Marriage and Clerics further discussions will be held in a meeting of the Representatives of the eparchial Presbyteral and Pastoral Councils and the Major Superiors and representatives of the Institutes of Consecrated Life in the Syro-Malabar eparchies, due to take place from 25 to 27 June 1995 at Ernakulam. The drafts are published in this number of the Synodal News also. The readers are requested to send their observations on them to the Major Archiepiscopal Curia. Synodal News wishes its readers a blessed and prosperous new year.
Report of the Synodal Assembly

Introduction

The third Assembly of the Second Synod of Bishops of the Syro-Malabar Church was held at the office of the Major Archbishop from 7 to 23 November 1994 under the chairmanship of Archbishop Abraham Kattuman, the Pontifical Delegate to the Syro-Malabar Church. On Monday, 7th November at 5.30 pm the Assembly was opened by the Delegate after the prayer service led by Mar Joseph Pallikaparambil, the bishop of Palai. In his opening speech the Pontifical Delegate stressed the need to work with united minds and hearts for the good of the Church. He also thanked the Fathers for their cooperation in carrying out his mission successfully.

Before the discussions started a requiem service was conducted for the repose of Mar Sebastian Mankuzhikary, the late bishop of Thamarassery and of Benedict Mar Gregorios, the late Metropolitan of the Syro-Malankara Church and archbishop of Trivandrum. On 11th November 1994 at 6.30 pm a requiem Mass was celebrated in the chapel of the Cardinal’s House for Bishop Mankuzhikary.

Sessions

Every day there were four sessions of an average of one and a half hours each, starting at 9.00 am and ending at 6.30 pm. On Mondays the session started at 10.00 am. Every day the session began with a prayer followed by the presentation of the minutes of the previous day’s activities of the Synod by the Secretary. The minutes were approved by the house. Each day’s sessions ended with a short prayer.

Agenda

The agenda of the Assembly was finalized in the opening session. The members agreed to follow the order given below:
1. Election of episcopal candidates for Thamarassery to be sent to Rome for the consideration of the Holy See.

2. Election of the Chairman of the Liturgical Commission and discussion on the change of name of the Syro-Malabar Church.

3. Statutes of the Palliyogam.

4. Statutes of the Superior Tribunal.

5. Statutes of the Permanent Synod.


7. Statutes of St Thomas Seminary, Vadavathoor.

8. By-laws to the Statutes of the Paurastya Vidyapitham.

9. Pastoral care of the Syro-Malabarians outside the "territorium proprium."


11. Liturgical texts and Calendar.

12. Pamphleteering.

13. Purchase of land and construction of new curial building

14. Other topics

Though there was a request to form an agenda committee for the Synod it was decided that the tentative agenda may be prepared by the Pontifical Delegate in consultation with the Permanent Synod. The bishops are also to be requested in advance to propose items for the agenda.

As for the elections, however, it was decided to conduct them later in the course of discussions of other topics in order to save time.

Participants

Besides Mar Antony Padiyara, the Major Archbishop and Archbishop Abraham Kattumana, the Pontifical Delegate, Mar Joseph
Powathil (Changanacherry), Mar Kuriakose Kunnacherry (Kottayam) Mar Joseph Kundukulam (Trissur), Mar Joseph Pallikaparampil (Palai), Mar Jacob Thoomkuzhy (Mananthavady), Mar Joseph Irimpal (Palakkad), Mar George Punnakottil (Kothamangalam), Mar Gratian Mundadan (Bijnor), Mar Abraham Mattam (Satna), Mar John Perumattam (Ujjain), Mar James Pazhayattil (Irinjalakuda) Mar Dominic Kokkatt (Gorakhpur), Mar Gregory Karottemprel (Rajkot), Mar Joseph Pastor Neelamkavil (Sagar), Mar Paul Chittilapilly (Kalyan), Mar George Valiamattam (Tellicherry), Mar Vijay Anand Nedumpuram (Chanda), Mar Simon Stock Palathara (Jagdalpur), and Mar Jacob Mananthodath (Aux. Ernakulam) were present. Rev Msgr. Francis Aruparayil, the Major Archiepiscopal Administrator of Thamarassery also participated as an observer with the consent of the Permanent Synod. Mar Mathew Vattakuzhy (Kanjirapally), Mar Sebastian Valloppilly (Tellicherry - retired) and Mar Januarius Palathuruthy (Chanda - retired) were absent owing to ill-health. Fr Jose Porunnedom, the Assistant Secretary of the Synod was also present throughout the sessions. Fr Mathew Madathikunnel, the Finance Officer of the Curia and Fr Anto Cheramthuruthy, the Secretary to the Pontifical Delegate took care of the organisation of the Synod. The Synodal Fathers were accommodated at the Cardinal’s House Ernakulam and the Renewal Centre, Kaloor.

**Experts and Guest Speakers**

As experts in various subjects Rev Frs Mathew Vellanickal (President, Paurastya Vidyapitham, Kottayam), Zacharias Elipulikkattu (Rector, St Thomas Apostolic Seminary, Kottayam), Andrews Thazhath (Trichur), Jacob Vellian (Kottayam), Antony Nariculum (Ernakulam), Jacob Kollaparampil (Kottayam), Mathew Madathikunnel (Palai) and Thomas Mannooramparampil (Tellicherry) were invited. Fr Jose Vadakekutt, Secretary of the Commission for Daliths under the Kerala Catholic Bishops Conference, and Bro. Jose Daniel, President, All India United Christian Movements for Equal Rights were present in one session to speak to the Bishops about the problems of the Daliths in the Syro-Malabar Church. Rev Fr Clarence Gallagher, Rector of the
Pontifical Oriental Institute in Rome, who came on a mission as Apostolic Visitor to the St Thomas Apostolic Seminary and the Paurastya Vidyapitham, also addressed the Fathers.

**Elections**

Elections were conducted to the posts that fell vacant following the sudden demise of Mar Sebastian Mankuzhikary, the late Bishop of Thamarassery. The following are the persons elected.

*Permanent member of the Permanent Synod*: Mar Joseph Kundukulam

*Substitute member*: Mar George Punnakottill

*Chairman of the Commission for Liturgy*: Mar Jacob Thoomkuzhy

*Member of Doctrinal Commission*: Mar Jacob Manathodath

*Member of Committee for Guidelines*: Mar James Pazhayattill

It was clarified that their term of office will be counted as the continuation of that of Bishop Mankuzhikary.

The Commission for the St Thomas Apostolic Seminary and the Paurastya Vidyapitham was constituted as follows:

Mar Kuriakose Kunnacherry (Chairman)

Mar James Pazhayattill (Member)

Mar George Valiamattam ("")

**Propria for the Periods of Annunciation & Denha**

As experts Rev Frs Antony Nariculam, Jacob Vellian and Thomas Mannooramparampil were present at the discussion of the draft of the Propria (variable prayers for each period of the liturgical year and for special days) of the Qurbana. Fr Nariculam as convener of the Central
Liturgical Committee, briefed the house on the genesis of the texts under consideration. Before the discussion of the text began, sometime was devoted to discuss the general principles involved in the preparation of the draft. There was difference of opinion as to whether the newly composed prayers in the draft are to be included as part of the *Propria* or whether they are to be considered as common prayers for all days though variable according to the 1988 instruction of the Congregation for the Oriental Churches. The Synod decided to include them as part of the *Propria*.

As for the version of the Bible from which the quotations in the *Propria* are to be taken it was decided to use the *Psitha* version in the text of the Propria. When it concerns the numbers of Psalms, the numbers of the POC version (i.e., Translation of the Bible under the auspices of the Pastoral Orientation Centre at Palarivattom) should be given in parenthesis. As for the lectionary the house decided to print later two separate lectionaries, one containing the *Psitha* version of the readings and the other the POC version.

Regarding the prayer of the faithful (*Karozutha*) the decision was to retain the old set and to compose a new set incorporating the ones in the draft under discussion. Further, the responses of the prayer of the faithful need not follow a rigid uniformity. As for the *Onitha d’Qanke* they will be printed in the text both in prose and poetry forms while *Onitha d’Bema* and *Onitha d’Bathe* will be printed in prose form only. The form of the *Onitha d’Bathe* will be made invitational.

As for the feast of the Maternity of Mary it was decided to celebrate it, highlighting the role of the family, on the 2nd Sunday after Christmas or on a Sunday to be indicated in the liturgical calendar. After two days’ discussions the drafts of the *Propria* for the period of Annunciation and *Denha* were approved with a few modifications.

**Procedure for finalising the Drafts of Particular Laws**

In response to the request, particularly of the representatives of the eparchial Presbyteral and Pastoral Councils and Representatives of
the Institutes of Consecrated Life met at Kaloor on 7th November, that there be a wider consultation before finalizing the particular laws, the Synod decided to adopt the following method of consultation in regard to drafts of particular laws: have a preliminary discussion of the draft in the Synod. After having incorporated the suggestions and observations of the Synod, send the draft to the eparchies for consultation at the level of the Presbyterium or Presbyteral Council and the Pastoral Councils. These bodies shall send their observations to the Major Archiepiscopal Curia which in turn will forward them to the concerned Commission. The drafts will be published simultaneously in the Synodal News with the request to the readers to send in their observations to the Curia, which too will be forwarded to the concerned Commission. The Commission shall submit the revised draft to the Synod for final discussion and approval.

**Drafts**

The draft statutes of Palliyogam and the Major Archiepiscopal Assembly were discussed but are to be revised after getting the observations of the Presbyterium or Presbyteral Councils and Pastoral Councils of eparchies and of the Syro-Malabar Religious Conference. Regarding the number of representatives in the Assembly, the Synod decided to determine it in proportion to the number of faithful in each eparchy. A similar criterion may be fixed also for the representation of the eparchial clergy and the Institutes of Consecrated Life.

**Statutes**

The Statutes of the Synodal Tribunal and of the Permanent Synod were discussed and finalised. The Statutes of St Thomas Apostolic Seminary also were approved after a protracted discussion. It is to be promulgated soon. As for the by-laws to the Statutes of the Paurastya Vidyapitham they are to be presented in the assembly of the Synod scheduled to be held in May 1995 for further discussion.
Preamble to the Code of Particular Law

A proposal that a common preface containing the history of the Syro-Malabar Church and of the codification in a concise form be prepared for the entire Code of Particular Law of the Syro-Malabar Church was under consideration of the Synod since long. A draft prepared by a special Committee was presented to the Synod. It was approved unanimously with minor modifications. This preface will be printed together with the particular law even when they are printed partially.

Pastoral care of the Syro-Malabarians outside the “territorium proprium” in India and abroad

After considering the replies of the Congregation for the Oriental Churches, various episcopal Conferences abroad and individual local ordinaries in India the Synod decided to approach them once again. Some of the replies were encouraging while some others were not so encouraging.

Syro-Malabar Missions

The Synod discussed at length the question of Syro-Malabar priests and nuns working in the dioceses in Africa and elsewhere outside India. All felt that there should be a common policy for the Church in this regard so that the right kind of service is rendered where needed and the human and material resources may not go wasted. There were also proposals to send missionaries to the dioceses in South America and Eastern Europe. Some suggested to request the Holy See to entrust to the Syro-Malabar Church certain territories in Africa for evangelization. It was, however, observed that the needs of the Syro-Malabar missions in India are to be given priority. A meeting with the Syro Malabar Religious Conference sometime during the next Synod will be held to discuss this matter. Further a decision was taken also to declare the first Sunday after Denha as the Syro-Malabar Mission Sunday and to take a collection on that day for the Syro-Malabar Mission eparchies.
Guidelines for Synodal Commissions

The draft of the guidelines for the functioning of the Synodal Commissions, prepared by the Committee consisting of Archbishop Joseph Powathil, Bishops Gratian Mundadan and James Pazhayattil, was approved by the house with certain modifications.

Structure of CBCI

A discussion on the juridical shape of the future Catholic Bishops’ Conference of India (CBCI) was made basing on the paper sent by the concerned committee set up by the CBCI to all the bishops of India. The Synod expressed its dismay at the way the consultations were made. Though the Synod as a body is not given any place in the consultation it decided to sent its observations to the concerned committee.

Re-Demarcation of the Territory of Mananthavady & Thamarassery

A request by the late bishop of Thamarassery to the Pontifical Delegate that the Manimooly Forane in the eparchy of Mananthavady be joined to the eparchy of Thamarassery was discussed by the Assembly. There was a proposal to set up a Synodal Commission to study the matter in detail. However, the matter was deferred until a new bishop takes charge of the eparchy.

Absolving the Sin of procured abortion

As for the absolution of the reserved sin of procured abortion a common directive was adopted and the Fathers approved it for publication in their eparchial bulletins.

Change of name of the Syro-Malabar Church

The change of name of the Syro-Malabar Church proposed in the first Synod is to be referred to the Presbyterium or the Presbyteral Councils and the Pastoral Councils of the eparchies as well as to Syro-Malabar Religious Conference for comments. A background paper prepared at the request of the Synod by Bishops Mattam and
Punnakottil to guide the discussion of the matter in the above mentioned bodies will be sent from the Major Archiepiscopal Curia.

**House at Faridabad and the assets of Marthoma Service Society in Kalyan**

Though there was a decision by the earlier assemblies of the Synod to transfer the house owned by the Church at Faridabad to the name of the Synod and the properties of the Mar Thoma Service Society within the territory of Kalyan to the eparchy of Kalyan it was not pursued. Hence the Synod reiterated its earlier decision to do the needful at the earliest possible and to clear all arrears in this regard.

In this connection the Synod also resolved that the maintenance of the priests engaged in the pastoral care of the migrants should be taken care of by the eparchy or the Institute to which they belong.

**Recruitment of Candidates by Foreign Congregations**

After considering the various aspects of the question the Synod decided to send a common circular to all the parishes in the Syro-Malabar Church which will contain the following instructions: 1) Candidates are to be recruited only with the prior permission of the local hierarch; 2) before taking them abroad they should have undergone a religious training of at least two years; 3) candidates should be taken abroad preferably only after the first profession.

**Malankarites in the Eparchy of Kottayam**

There was a request by the faithful in the eparchy of Kottayam who follow the Antiochian rite that an eparchy be erected for them. It was decided to discuss the matter later at the joint meeting of the Synod with the Syro-Malankara bishops.

**Dalith Christians**

The Synod had already resolved in the previous Assembly to take positive steps for the welfare of the *Daliths* in the Syro-Malabar Church. At the request of the representatives of the Daliths a statement
was prepared and sent to the Prime Minister of India as well as to the chief Minister of Kerala to take urgent steps in this matter.

**Pamphleteering**

All the Synodal members felt the need of taking strong action against the publishers of the magazines and the anonymous leaflets which indulge in malicious propaganda against Church authorities and their collaborators. But there was considerable difference of opinion as to how it should be done. Some of the Fathers suggested that the hierarchs of the publishers of such magazines should strongly warn them. Some others wanted that the Synod issue a statement condemning the magazines or leaflets by name. Yet others pointed out that such measures will not be effective unless the bishops stand united and work united, and earnestly discourage the publications of any article or leaflet that may tarnish the image of our Church. There was also a suggestion to entrust the Doctrinal Commission or even a special Committee to deal with the matter. As there was no agreement in this regard, the Pontifical Delegate, said that the issue may be closed with a short statement against pamphleteering in the final communique of the Synod.

**Eviction threat against settlers**

About the threat of eviction faced by the migrants in various parts of Kerala, Bishop George Valiamattam briefed the Synod. The Synod resolved to do the needful immediately.

**Finance & Advisory Councils**

In view of better financial administration of the Curia it was decided to constitute a seven-member Finance Council. Mar Joseph Kundukulam was elected as its President. The Finance Officer of the Curia will be its ex-officio convenor. The other five members are to be chosen in the following manner: One representative of the Finance Officers of the eparchies to be elected by them from among themselves; one representative each from the male and female Institutes of
Consecrated Life under the Syro-Malabar jurisdiction; two lay financial experts. These last two will be nominated by the Pontifical Delegate.

An Advisory Council also was formed consisting of Bishops Joseph Pallikkaparambil, George Punnakkottil, James Pazhayattil and Jacob Manathodath. This Council is to make the choice of the plan of the new Curial building and to decide the details of the construction.

**Eparchial contributions & new office for the Major Archiepiscopal Curia**

The proposal of annual contributions from each eparchy towards the ordinary expenses of the Curia was approved by the assembly. The amount is to be paid up in two instalments, the first before 30th June 1995 and the second before 31st December 1995.

The Finance Officer presented an outline of the facilities required in the new Curial building as well as a few plans prepared by architects and engineers. The advisory Committee is to make the choice.

The Finance Officer presented also a statement of the contributions received for the purchase of land and the amount paid for it.

**Name of the new Curial Site at Kakkanad**

After examining the names proposed by various persons the name “Mount St Thomas” was selected for the place at Kakkanad where the new Curial building will be constructed.

**Meeting of the Synodal Fathers with the representatives of the eparchial Presbyteral and Pastoral Councils and Major Superiors and representatives of the Institutes of Consecrated Life**

A meeting of the Synodal fathers with the representatives of the eparchial Presbyteral and Pastoral Councils and Major Superiors and representatives of the Institutes of Consecrated Life in the Syro-Malabar Church is to be held from 6.00 pm on the 25th till 3.30 pm on
27th May 1995. Hence there will not be synodal sessions on those days. The agenda of the meeting is to be finalised later. As to the number of representatives the pattern adopted for the meeting held on 7th November 1994 is to be followed. The items on the agenda will consist mainly of the discussion of the drafts of the particular laws.

**Joint meeting of the Syro-Malabar and Syro-Malankara Bishops**

Though a meeting of the Synod with the Syro-Malankara bishops was scheduled for 21st November it was postponed to 22nd November at the request of Bishop Lawrence Mar Aprem, the administrator of the Archdiocese of Trivandrum. It was, however, cancelled as the Syro-Malankara Bishops found the date inconvenient for them. Bishop Manathodath, the Secretary of the Synod, is to contact Bishop Cyril Mar Baselios as well as Bishop Lawrence Mar Aprem and fix a new date for the meeting during the next assembly in May 1995.

**Forthcoming Assemblies**

The next two assemblies of the second Synod are scheduled as follows: i) 15 May 3 June 1994; ii) 6 to 16 December 1995. All the assemblies are to start at 10.00 am on the opening day and end at 12.30 pm on the concluding day.

**Conclusion**

The third Assembly of the second Synod came to a close on 23rd November 1994 at 12.30 pm with the vote of thanks by the Pontifical Delegate and the concluding prayer. The Delegate thanked all the members for their active participation in the discussions.
Opening Address of the Pontifical Delegate

Your Eminence, Your Grace, Your Excellencies,

I have the honour and pleasure of welcoming you all to this third assembly of the Second Synod of the Syro-Malabar Major Archiepiscopal Church of Ernakulam-Angamaly. At the same time I remember with grief the late Bishop Sebastian Mankuzhikary, who was with us during all the previous assemblies and who was called for his eternal reward on 11th June 1994. Let us remember him in gratitude and pray to the Lord that he may be permitted to see Him face to face eternally. We shall have a short commemorative service in his suffrage before we begin the session. Bishop Mathew Vattakuzhy is also not present with us because of ill health. He was hospitalised for about a month for a major abdominal surgery. Presently he is convalescing in the Priests’ Home at Kanjirappally. Let us entrust him also to the Lord that he may regain health and be able to join us soon. Bishop Sebastian Valloppilly has informed me that he too is unable to attend the Synod for health reasons. Bishop Januarius, as you are aware, is unable to join us.

Meanwhile I take this opportunity to thank all of you for your valuable co-operation and collaboration during the past months in carrying out my mission successfully. The venerable Fathers who formed the various commissions, particularly those for Liturgy and Particular Law, deserve special thanks for their hard work. So also their collaborators who did the ground work for the discussions are to be remembered with profound gratitude.

In the last Assembly we finalised several items and left some unfinished. Among the finalised items there were the Statutes of the Paurastya Vidyapitham, the proposals for the revision of the text of the

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1 This is the full text of the speech delivered by the Pontifical Delegate at the opening of the third assembly of the second Synod held at Ernakulam from 7 to 23 November 1994.
Holy Eucharist and the Sacraments. The Statutes have been approved by the Holy See with some observations. As for the proposals for the revision of the text of the Holy Eucharist there has been no communication yet from Rome regarding a final decision on the matter. The Congregation for the Oriental Churches has made it known to me that a seven-member internal Commission was appointed to study the proposals of the Synod. The texts of the Sacraments are yet to be translated into English and sent to the Holy See for approval.

After the last Synodual Assembly the Commission for Particular Law met once to discuss the draft of the Statutes of the Palliyogam. The revised draft which incorporates the observations made in that meeting is already in your hands. So also you have already received copy of the draft of the Propria for Annunciation and Denha. It has to be discussed and finalised in this Assembly if possible. The various sub-committees of the commission are working yet on the propria for other periods.

The Syro-Malabar Major Archepiscopal Ordinary Tribunal has been erected and its Statutes promulgated. The Tribunal started functioning in the limited space avialable in this building. In this context I am availing of this opportunity to remind you to better the function of the eparchial tribunals. I am very sorry to observe that the track record of some of the eparchies in this regard leaves much room for improvement. It is a great injustice done to the faithful because justice delayed is justice denied. Lack of trained personnel is only a lame excuse for not administering justice to the faithful. The absence of reliaible judicial structure destroys the credibility of the Church in the eyes of Christians and non-Christians alike.

During this period after the elevation of this Church to the Major Archepiscopal status, we have done quite a lot in settling the basic structure and the relative rules and regulations. The Synodal statutes which we have already approved will soon be promulgated. We still have to go a long way before we can sit and rest. The propria of the Holy Eucharist are to be finalised; the particular laws on Marriage, Clerics, Institutes of Consecrated Life and Palliyogam as well as on
many other things are to be finalised; the revised Statutes of the St Thomas Seminary and the Statutes of the Superior Tribunal, Permanent Synod and the major Archiepiscopal Assembly are to be approved. Concrete steps are to be devised for the Pastoral Care of the Syro-Malabarians outside the "territorium proprium." I am happy to inform you that the Vicariate of Rome is willing to give us a church in the centre of Rome.

Venerable Fathers, I would like to remind you once more of the need of united action and concerted effort for the common good. Any kingdom that fights against itself will disintegrate. This disunity, when it is at the level of the pastors it is frightening. It is no unknown fact that we are yet to come together for the good of the Church which is the people of God, a living reality. The people have got saturated with the unending strife and petit quarrels among the bishops and the clergy. Before they get to radical measures to overcome this situation let us put ourselves to action. Let us put our hearts and minds together. That does not mean that there will not be difference of opinions. But it does mean a sacrifice of our egos and to shed our selfish motives.

May Mary the Mother of God and St Thomas, our Father in faith intercede for us. I declare, therefore, the third Assembly of the Second Synod of the Syro-Malabar Major Archiepiscopal Church of Ernakulam-Angamaly open.
Decisions of the Synod

The following decisions were taken in the third Assembly of the Second Synod of Bishops of the Syro-Malabar Church.

1. To adopt the following method of consultation in regard to the drafts of particular laws: have a preliminary discussion of the draft in the Synod. After having incorporated the suggestions and observations of the Synod send the draft to the eparchies for consultation at the level of the Presbyterium or Presbyteral Council and the Pastoral Councils as well as to the Syro-Malabar Religious Conference. These bodies shall send their observations to the Major Archiepiscopal Curia which in turn will forward them to the concerned Commission. The drafts will be published simultaneously in the Synodal News with the request to the readers to send in their observations to the Curia, which too will be forwarded to the concerned Commission. The Commission shall submit the revised draft to the Synod for final discussion and approval.

2. To send back to the Committee the draft of the by-laws to the statutes of the Paurastya Vidyapitham with the request to reformulate them and to present them for discussion at the next assembly of the Synod.

3. To use the Psitha version of the Bible in the texts of the Propria of the Qurbana and to print later two separate lectionaries, one containing the Psitha version of the reading and the other the POC version (Translation of the Bible made under the auspices of the Pastoral Orientation Centre at Palarivattom, Kochi).

4. To collect in the year 1995-'96, 1% of the gross income of the parishes of the year 1994-95 and a per capita contribution of Re. 1/- from the Syro-Malabar faithful, for the expenses of the Major Archiepiscopal headquarters and to request this contribution through a common circular letter of the bishops. The amount is to be collected by the respective eparchies and sent to the Major Archiepiscopal Curia.
5. To give the name "Mount St Thomas" to the property at Kakkanad purchased for setting up the Major Archiepiscopal Curia.

6. To constitute a seven member Finance Council with representatives from the laity, religious and eparchial finance officers and a four member episcopal advisory council to advise the Finance Officer of the Curia in the construction of the proposed building at Kakkanad.

7. To issue a common directive regarding the absolution of the sin of abortion.

8. To change the dates of the assembly of the Synod scheduled in 1995 as follows: from 15 May to 3 June and from 4 to 16 December.

9. To hold during the fourth assembly of the second synod a meeting at the Renewal Centre, Kaloor, of the Representatives of eparchial Pastoral Councils, Presbyteral Councils, Major Superiors and representatives of Institutes of Consecrated life. The meeting is to begin at 6.00 pm on 25th May and to conclude at 3.30 pm on 27th May.

10. To request the Presbyterium or Presbyteral Council and Pastoral Councils of the eparchies and the Syro-Malabar Religious Conference to propose a new name for our Church taking into consideration the apostolic origin of our Church traced back to St Thomas and its universal dimension.

11. To send a common circular to all the parishes in the Syro-Malabar Church within the Territorium proprium regarding the recruitment of candidates by foreign religious institutes from the Syro-Malabar Church.

12. To observe every year the Sunday after the feast of Denha as Syro-Malabar Mission Sunday and to take a collection on that day to help the Syro-Malabar Mission eparchies.
Statutes of the Permanent Synod

Preamble

As an abiding expression and organ of the collegiality of the bishops of the Syro-Malabar Church, the Permanent Synod, which is part of the Major Archiepiscopal Curia, helps the Major Archbishop in matters of ordinary administration or in expediting urgent affairs, in accordance with the law.

Title 1

Constitution

Art. 1 - The Permanent Synod consists of five bishops of the Syro-Malabar Church, including the Major Archbishop as its president (CCEO canon 115 §1).

Art. 2 - §1. Three of the member bishops are elected by secret ballot by the Synod of Bishops of the Syro-Malabar Church, hereafter referred to by SBSMC; among the three at least two must be eparchial bishops; and the fourth is nominated by the Major Archbishop (c. 115 §2).

§2. These four bishops are designated for a five-year term, but may be re-elected or appointed for further five-year terms (c. 115 §1).

§3. If any of these bishops is impeded, his place is taken by one of the four substitute bishops, who are designated in the same manner and who substitute in rotation in the order of seniority of their episcopal ordination. These substitutes, too, are designated for a five-year term,(c.115 § 3) but may be re-elected or appointed for further five-year terms (Cf.Statutes of the Synod of Bishops, art. 13, 1 §2).

Art. 3 - The members of the Permanent Synod belong by law to the curia of the Major Archbishop (c. 114).
Title II

Convocation and Sessions of the Permanent Synod

Art. 4 - §1. The Permanent Synod is convoked at fixed times, at least twice a year, and whenever the Major Archbishop deems it opportune or whenever business is to be transacted for which the counsel or the consent of the Permanent Synod is required by common law (c. 120).

§2. If only counsel is required by law, the Permanent Synod may be consulted by phone or letter without it being convoked to gather together for a meeting at a place (c. 934 §1).

Art. 5 - The Major Archbishop convokes the Permanent Synod, as a rule at least by a two weeks’ notice. The agenda is sent to the members in advance in good time.

Art. 6 - In order to prevent undue inconvenience in convoking the Permanent Synod as far as possible, the members are to inform the Major Archbishop of their foreseeable absences in good time together with the information where and how they can be contacted.

Art. 7 - §1. The Major Archbishop presides over the sessions of the Permanent Synod (c. 116 §1).

§2. If the Major Archbishop is impeded from attending the Permanent Synod, its sessions are presided over by the bishop who is senior by episcopal ordination after the number of members has been restored to five according to the norm of art. 2 § 3 (c. 116 §2).

Art. 8 - When a business is transacted concerning the person, office or eparchy of a member bishop, he is to be heard, but in the Permanent Synod another bishop substitutes for him according to the norm of art. 2 § 3 (c. 116 §3).

Art. 9 - The voting is by secret ballot when persons are concerned; in other cases, if at least one of the members expressly requests it (c. 118).
Art. 10 - If a business is to be transacted belonging to the competence of the Permanent Synod when the Synod of Bishops of the Syro-Malabar Church is in session, the decision is reserved to the Permanent Synod, unless with its consent the matter is committed by the Major Archbishop to the SBSMC (c. 119).

Art. 11 - The chancellor of the Major Archbishop functions as the secretary of the Permanent Synod. He has the responsibility of preparing the minutes of the sessions of the synod, unless in a particular case some other person is lawfully appointed for this purpose.

Art. 12 - §1. After the president the members of the Permanent Synod have to put their signature to the acts of the synod c. 117).

§2. The minutes of a session are regarded as approved by the Permanent Synod, if the majority of the members present have passed it and the president and the secretary have put their signature to it.

Title III

**Competence of the Permanent Synod**

Art. 13 - In all matters which concern the entire Syro-Malabar Church over which he presides or in more serious as well as urgent matters, the Major Archbishop shall not fail to hear the Permanent Synod; similarly the Permanent Synod is to be ready to cooperate with him whenever its counsel or consent is sought as per norms of law (cc.82 § 3; 605).

Art. 14 - In the event of the vacancy of the major archiepiscopal see, the senior bishop according to episcopal ordination among the members of the Permanent Synod becomes the administrator of the Major Archiepiscopal Church (c. 127; *Statutes of the Synod of Bishops*, art. 6.2.3 § 2).

Art. 15 - The Permanent Synod is to audit the annual accounts and pass the annual budget submitted by the major archiepiscopal Finance Officer (c. 122 §3).

Art. 16 - The Permanent Synod is to be consulted in the following cases:
1° before the Major Archbishop admonishes an eparchial bishop who
does not faithfully fulfil his pastoral function or has gravely
transgressed in some matter, unless there is danger in delay (c. 95
§2);

2° to give an authentic interpretation of the laws enacted by the
SBSMC, an interpretation that is valid unless modified by this
synod subsequently (c. 112 §2);

3° to determine the rights and obligations of a coadjutor bishop
appointed by the Major Archbishop as per norms of CCEO canon
213 §2;

4° to appoint the administrator of an eparchy within a month of
usable time from the reception of notice of the vacancy of the
eparchial see, if there are no curial bishops for consultation (c.
220 §3);

5° to appoint a new eparchial finance administrator during the
vacancy of the eparchial see or to have him elected when an
eparchial finance administrator has ceased from office in any
manner whatever, if there are no curial bishops for consultation
(c. 232 §3);

6° to erect or approve an association which is open to all the
Christian faithful of the Syro-Malabar Church and which has its
headquarters within the territorial boundaries of the same Major
Archiepiscopal Church (c. 575 §1 n 2°);

7° to suppress juridical persons that were erected or approved by the
Major Archbishop, except for cases mentioned in common law (c.
928 n 1°);

8° to alienate the temporal goods of the Major Archiepiscopal
Church, whose value is between the minimum and the maximum
amount fixed by the Synod of Bishops (c. 1037 n 1°);

9° to permit an eparchial bishop who cannot establish a collegiate
tribunal to entrust to a single clerical judge cases for trial in the
first instance (c. 1084 §3);
10° to permit the appointment of non-clerical Christian faithful as judges so that when necessary one of them may be employed to form a collegiate tribunal (c. 1087 §2).

11° to act in other matters which require the consultation with the Permanent Synod as per common law and particular law.

Art. 17 - The consent of the Permanent Synod is needed in the following cases:

1° for the Administrator of the Major Archiepiscopal Church to convoke the Synod of Bishops of the Syro Malabar Major Archiepiscopal Church for the election of the new Major Archbishop in a different place than the major archiepiscopal residence (c. 65 §1);

2° for the Major Archbishop to conduct, for a grave reason either personally or through another bishop, an equipollent canonical visitation of an eparchy, a town or a church (c. 83 §2), apart from the regular pastoral visitation of the eparchies at the times fixed by particular law (c. 83 §1);

3° to erect, modify or suppress exarchies (c. 85 §3);

4° to exempt from the power of an eparchial bishop a place or a juridical person and subject it immediately to the Major Archbishop in accordance with canon 90;

5° to reserve to the Major Archbishop himself matters that concern several eparchies and involve the civil authorities, in accordance with canon 100;

6° to invite to the Synod of Bishops of the Major Archiepiscopal Church those who are not its members, in accordance with canon 102 §3;

7° to convoke the Synod of Bishops of the Major Archiepiscopal Church outside the times prescribed by law if the Major Archbishop deems it necessary (c. 106 §1);
8° to nominate the major archiepiscopal finance administrator (c. 122 §1);

9° to remove from office the major archiepiscopal finance administrator during the term of office, if there is danger in delay (c. 122 §2);

10° to convoke the Major Archiepiscopal Assembly outside the prescribed time if it is considered useful and necessary (c. 141);

11° to designate two bishops as scrutineers for the election of bishops by letter when the SBSMC cannot be held (c. 186 §1);

12° to accept the resignation of an eparchial bishop unless he was invited by the SBSMC to tender his resignation (c. 210 §3);

13° to remove from office the administrator of an eparchy (c. 231 §2);

14° to provide for the governance of an eparchy when the eparchial see is impeded in accordance with canon 233 §1;

15° to appoint an exarch (c. 314 §1);

16° to give the faculty to an institute or association to ascribe clerics (cc. 357 §1, 579);

17° for the Administrator of the Major Archiepiscopal Church to effect or permit the ascription of a cleric to an eparchy, or the issue of a dimissorial letter to terminate clerical ascription, or the granting of permission to a cleric to move out to another eparchy while retaining his ascription (c. 363 n 1°);

18° to remove from the clerical state, if there is danger in delay, clerics who do not ask for a dispensation from their obligation to celibacy, in accordance with canon 397;

19° to suppress a monastery that is not of pontifical law, whether it is *sui iuris* or is a filial monastery, whether it is of eparchial law or of major archiepiscopal law, in accordance with canon 438 §1;
20° to dispose of the property of a suppressed monastic confederation (c. 440 §3);

21° to grant the status of a stauropigial monastery to a new monastery in the act of its erection (c. 486 §1);

22° to erect a religious order or congregation of major archiepiscopal law (c. 506 §2);

23° to raise a congregation of eparchial law that has spread to several archbishoprics in the territory of the Syro-Malabar Church to the status of a congregation of major archiepiscopal law (c. 506 §3);

24° to suppress a congregation of eparchial law or of major archiepiscopal law, although consisting of a single house, in accordance with canon 507 §2;

25° to suppress associations other than those erected or approved by the Apostolic See, in accordance with canon 583 §2;

26° to alienate or to transfer perpetually to another church well-known relics, icons or images kept in some church and are held in great veneration by the people (c. 888 §2);

27° to authorize the alienation of the temporal goods of an eparchy or of any other juridical person situated within the territorial boundaries of the Syro-Malabar Major Archiepiscopal Church, whether it is subject to an eparchial bishop or not, and although it is of pontifical law, if the value of goods exceeds the maximum amount fixed by the SBSMC but is not double (c. 1036 §2 nn 1 and 2);

28° to alienate the temporal goods of the Syro-Malabar Major Archiepiscopal Church, if the value of the goods exceeds the maximum amount fixed by the Synod of Bishops but is not double (c. 1037 §2 nn 1 and 2);

29° to reduce, moderate or commute the dispositions of Christ’s faithful who give or leave their goods to pious causes (c. 1054 §3);
30° to substitute with another bishop if one of the three bishops of the Synodal Tribunal is party in a case, or is unable to be present, or if any of them has been objected to (c. 1062 §2);

31° to appoint the president, the judges, the promoter of justice, the defenders of bond as well as other necessary officials of the ordinary Major Archiepiscopal Tribunal (c. 1063 §2);

32° to threaten by precept the penalties of deprivation of office, of title, of insignia or suspension beyond one year, demotion to a lower grade, deposition or major excommunication (c. 1406 §1).

33° to act in other matters which require the consent of the Permanent Synod as per common law or particular law.

Title IV

General and Transitory Norms

Art 18 - These Statutes may be amended by the SBSMC by an absolute majority of the votes of the members present and voting in a valid session.

Art. 19 - These Statutes come into force when after having been approved by the SBSMC they are promulgated by the Major Archbishop.

Art. 20 - These Statutes are approved for an initial experimental period of three years before their definitive approval.

These Statutes of the Permanent Synod approved by the Synod of Bishops in its assembly held from 7 to 23 November 1994 are hereby promulgated ad experimentum for a period of three years from 1st January 1995.

Given from the Major Archiepiscopal Curia at Ernakulam on 1st January 1995.

✠ Archbishop Abraham Kattumana

Pontifical Delegate
Statutes of the Superior Tribunal of the Syro-Malabar Church

Preamble

The synod of bishops of the Syro-Malabar Church possesses besides a legislative function and some executive function also a judicial function. In the exercise of its judicial function the same synod is a tribunal according to the norm of law (CCEO c. 110 §2). Its ministry of justice is exercised within the territory of the Syro-Malabar Church and subject to the vigilance of the Supreme Tribunal of the Apostolic Signatura, Rome, which watches over the administration of justice in the Catholic Church all over the world in the name of the Roman Pontiff.

The synod of bishops of the Syro-Malabar Church is the Superior Tribunal of the Syro-Malabar Church (c. 1062 §1). The synod exercises its judicial function either in full session or, ordinarily and in the first instance, through an elected portion of the same synod constituted as a tribunal, which represents the synod and actualizes its judicial function. The latter tribunal is called Synodal Tribunal in the present Statutes.

Title 1

Constitution of the Synodal Tribunal

Art. 1 - The Synodal Tribunal of the Syro-Malabar Church is a collegiate tribunal of three judges established by the synod of bishops of the same Church.

Art. 2 - The synod of bishops elects by secret ballot one of its members as the General Moderator of the Administration of Justice in the Syro-Malabar Church and two other members as judges to form the Synodal Tribunal with him as the president (c. 1062 §2). Regarding their substitutes, art. 11 is to be followed.
Chapter 1

Competence

Art. 3 - The Synodal Tribunal is competent to exercise the ministry of justice in the entire territory of the Syro-Malabar Church.

Art. 4 - The Synodal Tribunal is competent to judge in the first instance contentious cases concerning eparchies, archieparchies, bishops whether eparchial or titular, and metropolitans (c. 1062 §3).

Art. 5 - The Synodal Tribunal may call upon the assistance of the Major Archiepiscopal Tribunal or indeed of any other tribunal of any Church sui iuris in carrying out certain procedural acts, especially in collecting evidence, excepting always those acts which involve the decisions of the judges (c. 1071).

Chapter 2

The Composition of the Synodal Tribunal and Officials in General

Art. 6 - §1. The Synodal Tribunal is composed of the following officials:

- three judges,
- auditors,
- a promoter of justice
- a notary.

§2. The three judges are appointed in accordance with art. 2.

§3. The auditors, promoter of justice and the notary are nominated by the Major Archbishop with the consent of the Permanent Synod.

Art. 7 - The officials mentioned in art. 6 are appointed for a period of five years, which is renewable following the same procedure.

Art. 8 - §1. All the officials of the Synodal Tribunal, as well as those who assist it, must make a promise that they will fulfil their task faithfully (c. 1112).
§2. This promise is made before the Major Archbishop by the officials as well as their substitutes; before the presiding judge by the others.

Art. 9 - §1. The judges of the Synodal Tribunal act collegially, conscious of representing the synod of bishops of the Syro-Malabar Church and with the utmost sense of responsibility when they are called upon to judge their colleagues in the episcopal college, the sanctity of which they are to defend by condemning the offenders.

§2. If the judges themselves are found guilty of canonical offences (c. 1115 §1), they are to be denounced to the Apostolic Signatura by the Major Archbishop after consulting the Permanent Synod; their resignation can be accepted by the Major Archbishop alone. (c. 1063 §2).

§3. Officials other than the judges and those who assist the tribunal, if found guilty of canonical offences, may be punished with suitable penalties by the presiding judge (c. 1115 §2).

§4. The promoter of justice and the notary and their substitutes can be removed from office by the Major Archbishop with the consent of the Permanent Synod; their resignation can be accepted by the Major Archbishop alone.

Chapter 3

Officials of the Synodal Tribunal in Particular

Art. 10 - The president of the Synodal Tribunal is primus inter pares among the judges of the tribunal.

Art. 11 - §1. If one of the three judges is party in a case, or is unable to be present for whatever reason, or if any of them has been objected to, the Major Archbishop with the consent of the Permanent Synod substitutes another bishop (c.1062 § 2). For this purpose the Permanent Synod may designate a panel of three substitutes from among the members of the Synod of Bishops for a period of three years, from
whom one may be appointed by the Major Archbishop when the above said need arises.

§2. Substitutes of the promoter of justice or of the notary are nominated by the Major Archbishop with the consent of the Permanent Synod.

Art. 12. From the roster of auditors approved by the Major Archbishop with the consent of the Permanent Synod, the president of the Synodal Tribunal may appoint auditors to instruct particular cases (c.1093).

Art. 13 - §1. As promoter of justice is appointed a presbyter of unimpaired reputation, who holds at least a licentiate in canon law, and is approved for prudence and zeal for justice. (c. 1099 §2).

§2. The promoter of justice as well as the notary may fill the same offices respectively in the Major Archiepiscopal Tribunal.

Art. 14 - It is for the promoter of justice to represent and to be concerned with the public good connected with the eparchies. In particular,

1° in the matter of complaints lodged against bishops or eparchies, he helps the Major Archbishop as required in deciding between the administrative way and the judicial way;

2° when public good is at stake, which cannot be safeguarded otherwise, he initiates contentious cases against eparchies or eparchial bishops;

Art. 15 - §1. It is for the notary to make a record of all the judicial acts.

§2. The notary is entrusted with the chancery of the tribunal and has the responsibility of registering the cases presented to the Synodal Tribunal, of preserving all the judicial acts and other documents in the archives of the tribunal, of making their copies and of mailing them. He (she) is directly responsible before the president of the tribunal.

§3. The notary is preferably to hold a licentiate in canon law
Chapter 4

Advocates and Attorneys

Art. 16 - §1. The Synodal Tribunal is served by a number of advocates and attorneys (procurators or proxies) approved for the purpose by the Major Archbishop. Their services may be enlisted by the parties, who are however free to conduct their cases personally, unless the judge decrees that the services of an attorney or of an advocate are necessary. (c. 1139 §1).

§2. Before entering upon their office they have to make a promise before the president of the tribunal that they will fulfil their duties faithfully.

Art. 17 - §1. Advocates and attorneys must be persons of good reputation. All advocates must have a doctorate in canon law or be otherwise truly expert and must have the approval of the Major Archbishop (c.1141). Generally the advocates and attorneys are those on the roster of the Major Archiepiscopal (Ordinary) Tribunal.

§2. A party may choose a suitable attorney who is not an advocate.

Art. 18 - §1. Advocates and attorneys must observe the norms of canon law and of the statutes of the Synodal Tribunal.

§2. Those who have violated them may be censured, fined or suspended by the president of the Synodal Tribunal, or even entirely debarred with the assent of the Major Archbishop.

Title II

The Procedure in the Synodal Tribunal

Art. 19 - § 1. The Synodal Tribunal, especially its president, is to strive earnestly, with due regard for justice, to ensure that lawsuits among the people of God are as far as possible avoided or are settled peacefully at the earliest (c.1103 § 1) by other means such as arbitration or, in controversies arising out of the exercise of the power
of governance, through recourse to the higher authority (c.1055 § 2) in accordance with canons 996 - 1006.

§ 2 - At the beginning of the litigation, and indeed at any other time whenever some hope of a successful outcome is perceived, the president of the Synodal Tribunal is not to fail to exhort and to assist the parties to seek an equitable solution to their controversy by exchange of views; the president is also to indicate suitable ways of reaching the goal, even making use of the services of serious-minded persons to mediate (c.1103 § 2).

§ 3. If the judicial procedure is unavoidable, the Synodal Tribunal follows the procedure prescribed in CCEO for contentious trials, under the supervision of the president of the same tribunal.

Art. 20 - §1. The Synodal Tribunal holds its sessions ordinarily at the headquarters of the Major Archiepiscopal curia. If the case warrants otherwise, the president of the Synodal Tribunal, having consulted the other judges, can determine any other convenient place within the territory of the Syro-Malabar Church, with due regard for can 1128.

§2. As regards the time for holding the sessions, the president of the Synodal Tribunal determines it, after having consulted the other judges and heard the parties.

Art. 21 - §1. If an exception of suspicion is raised against a judge, it is to be decided by the Major Archbishop with the consent of the Permanent Synod (1062 §2).

§2. If an exception of suspicion is raised against another official, it is to be decided by the president of the Synodal Tribunal (c. 1107 §3).

Art. 22 - §1. Appeal from the Synodal Tribunal is to the Synod of bishops of the Syro-Malabar Church as the Superior Tribunal.

§2. Appeal from a sentence of the Synodal Tribunal is to be requested with a petition presented to the president of the same tribunal (c. 1311). If the claim to appeal is lawful, the presiding judge is to issue a rescript: "The appeal is admitted; further proceeding is to be notified
to the court.” If the claim is rejected, reasons are to be given in writing. If the rejection is contested, §1 is to be followed in accordance with canon 1313.

Title III

Procedure in the Superior Tribunal

Art. 23 - The synod of bishops of the Syro-Malabar Church sits as the Superior Tribunal in receiving an appeal from the Synodal Tribunal (c. 1062 §4), and proceeds in accordance with canons 1309-1321.

Art. 24 - The synod is convoked and presided over according to its statutes; the Major Archbishop may, however, delegate someone else to preside over its sessions with the powers of the presiding judge as long as the synod functions as the Superior Tribunal.

Art. 25 - Except the parties of the Synodal Tribunal, every lawful member of the synod of bishops, not excluding the three judges of the Synodal Tribunal, is a judge of the Superior Tribunal.

Art. 26 - §1. The president of the Superior Tribunal nominates one of the members as the ponens of the case.

§2. The secretary of the synod of bishops functions as the notary.

§3. A promoter of justice may be appointed ad casum, if deemed necessary by the president of the Superior Tribunal.

Art. 27 - Mindful of the fact that the members of the Superior Tribunal are obliged to pronounce their sentence sincerely, the president of the same tribunal is to ensure that they have complete freedom in expressing their mind (cf. c 934 §§3-4). Wherefor,

1° he asks the accused bishop, if present in the hall, to leave the hall for the time needed for the bishops to express and exchange their views freely;

2° when he is readmitted, he asks the notary to read out the charges against him as formulated by the bishops, giving him full freedom to respond and to defend himself.
Art. 28 - The Superior Tribunal entrusts three of its members to draw up the sentence, either singly or preferably in a unified text, in accordance with canons 1290-1297 with the necessary adaptations. After the discussion of this text or these texts by all the members, the sentence of the Superior Tribunal is to be formulated by the ponens for the final voting of the same tribunal by secret ballot.

Art. 29 - The sentence is to be intimated in accordance with canons 1297-1299.

Art. 30 - There is no appeal against the sentence of the Superior Tribunal, except for deferral to the Roman Pontiff but with effect in devolutivo only in accordance with canon 1059.

Title IV

Judicial Expenses and Gratuitous Legal Aid

Art. 31 - As regards the judicial expenses and gratuitous legal aid, besides the canons 1334-1336 of CCEO, appendix II must be observed.

Art. 32 - The eparchies of the Syro Malabar Church contribute towards the expenses of the Synodal Tribunal and the Superior Tribunal, especially for the remuneration of the officials, as determined by the Synod of Bishops.

Art. 33 - The rates of fees for judicial services, determined by a decree of the Major Archbishop and renewed periodically, are as per schedule annexed to these Statutes. This schedule is to be made known to the party at the presentation of the libellus introducing a suit.

Title V

General and Transitory Norms

Art. 34 - §1. A doubt about the meaning of any of the articles regarding the Synodal Tribunal is to be resolved by the president of the same tribunal in consultation with the two judges on the bench; if it is not resolved, it may be submitted to the Major Archbishop for an authentic interpretation as per CCEO c.112 § 2.
§2. A doubt about the meaning of any of the articles regarding the Superior Tribunal is resolved by the same tribunal.

Art. 35 Amendments to these statutes may be effected by the Synod of Bishops of the Syro Malabar Church with the favourable vote of more than half its members, always with due regard for the norms of CCEO.

Appendix I

The General Moderator of the Administration of Justice

The General Moderator of the Administration of Justice in the Syro-Malabar Church is ex officio the president of the Synodal Tribunal. He keeps vigilance over the Major Archiepiscopal Tribunal and other lower tribunals. In particular,

1° he sees to it that a tribunal of first instance is duly established in every eparchy within the territory of the Syro-Malabar Church and that the judicial process is conducted properly;

2° if an eparchy is not able to establish its own tribunal, he advises the Major Archbishop to erect an intereparchial tribunal with the consent of the eparchial bishops concerned (c. 1067 §1);

3° he is to ensure that the officials of the lower tribunals are well qualified and able to handle the judicial process efficiently; and where qualified personnel is wanting, he is to take measures that they are duly prepared;

4° he is to keep watch that justice is rendered promptly and that cases are not prolonged unduly beyond one year in the first instance and six months in succeeding instances;

5° he is to visit personally or through another the lower tribunals and inspect their working at least once every three years; normally he does so after issuing a one month notice.
6° he is to keep the Synod of Bishops regularly informed about the administration of justice within the territory of the Syro-Malabar Church;

7° he is to submit to the Major Archbishop at the beginning of the year an annual report about the administration of justice within the territory of the Syro Malabar Church.

Appendix II

Rates of Judicial Expenses

(Art. 32)

Fee for first instance : Rs. 5000/-
Fee for second instance : Rs. 2000/-
Fee for advocates : Rs. 2000/-

Additional expenses, if any, will have to be paid by the parties before the publication of the sentence.

The above rates hold good from 1st January 1995 until further notice.

These Statutes of the Synodal Tribunal and the Superior Tribunal approved by the Synod of Bishops in its assembly held from 7 to 23 November 1994 are hereby promulgated ad experimentum for a period of three years.

Given from the Major Archiepiscopal Curia at Ernakulam on 1st January 1995.

† Archbishop Abraham Kattumana

Pontifical Delegate
Statutes of the Major Archiepiscopal Tribunal

Preamble

The Major Archiepiscopal Tribunal is a collegiate tribunal, erected in accordance with canon 1063 of CCEO on 1 September 1994, to exercise the ministry of justice within the territory of the Syro-Malabar Church. It serves especially as a tribunal of appeals from metropolitan tribunals, though it is competent also to adjudicate cases in the first instance according to the norm of law. It is subject not only to the vigilance of the Supreme Tribunal of the Apostolic Signatura, Rome, which watches over the exercise of justice in the Catholic Church all over the world in the name of the Roman Pontiff, but also to the immediate vigilance of the General Moderator of the Administration of Justice of the Syro-Malabar Church in accordance with canon 1062 of CCEO and the norms of the Statutes of the Superior Tribunal of the Syro-Malabar Church.

The Major Archiepiscopal Tribunal is regulated by the following statutes, and is governed by the common law, especially as contained in CCEO.

Title I

Constitution of the Tribunal

Article 1 - The Major Archiepiscopal Tribunal is the ordinary tribunal of the Syro-Malabar Church, and is composed of a certain number of judges and a suitable number of other officials appointed by the Major Archbishop in accordance with the statutes.

Chapter 1

Competence

Art. 2 - The Major Archiepiscopal Tribunal is competent to exercise the ministry of justice in the entire territory of the Syro-Malabar Church.
Art. 3 - The Major Archiepiscopal Tribunal is a tribunal of appeal from the metropolitan tribunals. It is competent in the following cases:

§1. to judge in second and third instance cases judged in first instance by the metropolitan tribunals;

§2. to judge in third instance cases judged in second instance by the metropolitan tribunals, which are competent to receive cases judged in first instance by the eparchial tribunals of their respective provinces;

§3. to receive recourses from the metropolitan tribunals;

§4. to receive recourses and appeals from inter-eparchial tribunals in accordance with canon 1067 §5.

Art. 4 - The Major Archiepiscopal Tribunal is competent to judge in the first and in succeeding instances the cases:

1° of exarchs and delegates of the Major Archbishop who are not bishops;

2° of physical persons below episcopal rank who are immediately subject to the Major Archbishop;

3° of juridical persons immediately subject to the Major Archbishop;

4° of institutes of consecrated life of pontifical law, not excluding the exempt institutes, with due regard for canon 1069 of CCEO;

5° of superiors of institutes of consecrated life of pontifical law, who do not have a superior of the same institute with judicial power;

6° of the supreme moderators and other major superiors of institutes of consecrated life of major archiepiscopal law.

7° of persons whether physical or juridical of the same institute of consecrated life, except secular institutes, in which though the superiors possess the power of governance, no judge or tribunal has been determined in the typicon or the statutes of the institute” (CCEO c. 1069 §1).
of persons whether physical or juridical, which, in special cases, the Major Archbishop may lawfully commit to the tribunal, especially as a help to eparchial bishops.

Art. 5 - In order to carry out certain procedural acts, especially in collecting evidence, the Major Archiepiscopal Tribunal has the right to call upon the assistance of another tribunal of any Church whatever, in accordance with canon 1071 of CCEO.

Chapter 2

The Composition of the Tribunal and Officials in General

Art. 6 - §1. The Major Archiepiscopal Tribunal consists of the following officials: the president, the judges, the promoter of justice, the defenders of bond, the notaries, and others nominated as needed especially as auditors or substitutes (c. 1063 §2).

§2. - The officials of the Major Archiepiscopal Tribunal are chosen representing as far as possible the entire territory of the Syro-Malabar Church, though they may be selected from elsewhere also.

§3. It is the responsibility of the eparchial bishops and of the supreme moderators of institutes of consecrated life to propose and to make available suitable candidates to the offices of the Major Archiepiscopal Tribunal, seeing that through it the Church carries out a ministry of justice.

Art. 7 - §1. The officials are nominated by the Major Archbishop with the consent of the Permanent Synod after having consulted their eparchial bishop if they are eparchial clerics, their major superior if they belong to an institute of consecrated life (c. 1063 §2).

§2. If officials are selected from another Church sui iuris, the written consent of their eparchial bishop is required for eparchial clerics; of their major superior, if they belong to an institute of consecrated life (c. 1102 §1).

Art. 8 - §1. The officials belong to the Major Archbishop’s curia,
including those who do not actually reside there; and they are immediately subject to him.

§2. At least the president of the Major Archiepiscopal Tribunal and one notary are, as a rule, to reside in the Major Archbishop’s curia.

Art. 9 - All the officials, especially the nonresident ones, are to be so free from other engagements as to be able to devote due time to fulfil their office properly.

Art. 10 - §1. All those who constitute the Major Archiepiscopal Tribunal, or assist it, must make a promise that they will fulfil their task faithfully (c. 1112).

§2. This promise is made before the Major Archbishop by the president, the judges, the promoter of justice, the defenders of bond, the notaries, as well as their substitutes; before the presiding judge by others.

Art. 11 - With due regard for art. 14, and except when a judge or a defender of bond is appointed for individual cases only, the officials are appointed for a definite term of five years; with the consent of the Permanent Synod, the Major Archbishop can prorogue their appointment or renew their term of office.

Art. 12 - §1. Officials of the tribunal and those who assist it, if found guilty of canonical offences, may be punished with suitable penalties by the judge or the president of the bench (c. 1115 §2); the judges themselves guilty of canonical offences (c. 1115 §1) may be punished with suitable penalties by the Major Archbishop after consulting the General Moderator of the Administration of Justice, and with due regard for §2.

§ 2. The president, the judges, the promoter of justice, the defender of bond and their substitutes cannot be removed during their tenure of office except by the Synod of Bishops and only for a serious reason; their resignation can be accepted by the Major Archbishop alone. (c. 1063 §2).
§3. Officials other than those mentioned in §2 may be removed from office by the Major Archbishop with the consent of the Permanent Synod; their resignation can be accepted by the Major Archbishop alone.

Art. 13 - Officials retire at the age of seventy-five years completed. Retiring judges become *emeriti* if they have served at least for ten years.

Art. 14 - Officials whose term of office has expired continue in office till the expiry of their term is intimated to them in writing (can. 965 §3).

Chapter 3

**Officials in Particular**

Art. 15 - At the head of the Major Archiepiscopal Tribunal is its president, whose role is analogous to that of the Chief Justice in civil law. He is *primus inter pares* among the judges of the tribunal, one of whom is nominated as the Vicepresident.

Art. 16 - §1. As the moderator of the Major Archiepiscopal Tribunal, the president has the responsibility to ensure its proper functioning in accordance with the statutes of the tribunal; in particular he must see to it that all the other officials and others who assist it discharge their tasks properly.

§2. In his absence, or if he is impeded, his place is taken by the Vicepresident; if the latter too is absent or is impeded, by the senior judge who is not impeded.

Art. 17 - §1. The judges of the Major Archiepiscopal Tribunal must be presbyters of unimpaired reputation, possess at least a licentiate in canon law, and be persons approved for their prudence and zeal for justice (c. 1087 §3). Preferably, they should be persons of mature age and experienced in jurisprudence.
§2. The Major Archbishop, with the consent of the Permanent Synod, may nominate as judges others also who are not presbyters but have the other qualifications mentioned in §1. From among them, as need arises, one can be taken by the president to form a collegiate tribunal (c. 1087 §2).

§3. From a roster of auditors approved by the Major Archbishop with the consent of the Permanent Synod, the president of the Major Archiepiscopal Tribunal may appoint auditors to instruct particular cases.

Art. 18 - Auditors and judges are to ensure that, with due regard for the rights of the parties, cases are speedily brought to their completion.

Art. 19 - §1. The seniority of the judges is determined by the date of their appointment; in case of appointment on the same date, by the priority of their ordination; and failing even this to be decisive, by their age.

§2. After the president, the judges sit in the order of their seniority.

Art. 20 - §1. Judges guilty of canonical offences may be admonished by the General Moderator of the Administration of Justice of the Syro-Malabar Church.

§2. In more serious cases, they may be fined or suspended by the Major Archbishop. A special tribunal of three or more judges is to be set up for this purpose by the Major Archbishop.

§3. In very serious cases, they may even be removed from office by the Synod of Bishops (cc. 1063 §2; 1115 §1).

Art. 21 - §1. The promoter of justice and the defenders of bond may be chosen not only from among clerics but also members of institutes of consecrated life or lay people; they must be of unimpaired reputation, hold at least a licentiate in canon law, and must be persons approved for prudence and zeal for justice. (c. 1099 §2).
§2. Preferably, they are to hold a doctorate in canon law, be persons of mature age and be experienced in jurisprudence.

§3. In cases about sacred ordination, the defender of bond is to be preferably a priest.

§4. The promoter of justice is appointed substitute defender of bond; and the defender of bond are appointed substitute promoter of justice. They cannot, however, fill both the roles in the same case (c. 1100 §1).

Art. 22 - §1. It is for the notaries to make a record of all judicial acts.

§2. One of the notaries, who is entrusted with the chancery of the tribunal and who may be called the registrar or chancellor of the tribunal, has the responsibility of registering the cases presented to the tribunal, of preserving all the judicial acts and other documents in the archives of the tribunal, of making their copies and of mailing them. The registrar has also the charge of the tribunal library. He (she) is directly responsible before the president of the tribunal.

§3. One of the notaries, who may be the registrar, is also entrusted with the responsibilities of the treasurer.

§4. The notaries are preferably to hold a licentiate in canon law.

Chapter 4

Advocates and Attorneys

Art. 23 - §1. The Major Archiepiscopal Tribunal is served by a number of advocates and attorneys (procurators or proxies) approved for the purpose by the Major Archbishop. Their services may be enlisted by the parties, who are however free to conduct their cases personally, unless the judge decrees that the services of an attorney or of an advocate are necessary. (c. 1139 §1).
§2. Before entering upon their office they have to make a promise before the president of the tribunal that they will fulfil their duties faithfully.

Art. 24 - Advocates and attorneys must be persons of good reputation. All advocates must have at least a licentiate in canon law or be otherwise truly expert. (c. 1141).

Art. 25 - §1. The Major Archiepiscopal Tribunal avails itself of the services of a certain number of experienced advocates and attorneys enrolled on a permanent basis on its roster and remunerated. (c. 1148).

§2. They are obliged to render their services free of charge to the poor who are declared by the judge eligible for gratuitous legal aid. It is for the president of the tribunal to see to it that the assignment of such "pro bono" cases is done in rotation, so that each advocate approved for the tribunal obtains a fair share of this work.

§3. A party may choose a suitable attorney who is not an advocate.

Art. 26 - §1. Advocates and attorneys must observe the norms of canon law and of the statutes of the Major Archiepiscopal Tribunal.

§2. Those who have violated them may be censured by the president of the Major Archiepiscopal Tribunal, fined or suspended with the consent of the General Moderator, or even entirely debarred with the assent of the Major Archbishop.

Title II

The Procedure

Chapter 1: The Procedure in General

Art. 27 - §1. The Major Archiepiscopal Tribunal follows the procedure prescribed in CCEO, under the supervision of the president of the same tribunal.
§2. It is the responsibility of the same president to prepare the judicial calendar determining the periods for the sessions of the tribunal.

Art. 28 - §1. The president of the Major Archiepiscopal Tribunal sets up the tribunals, in respect of which he has the powers of the judicial vicar, mentioned in canons 1090 and 1991.

§2. While setting up a collegiate tribunal, the same president nominates also the president of the bench, and follows the order of successive benches of judges (turnus) on the stable list. (c. 1090 §1).

Art. 29 - §1. In cases in which the law requires a collegiate tribunal of three judges (can. 1084), the judges of the Major Archiepiscopal Tribunal sit in benches of three in the first, the second and the third instances.

§2. A full bench of five judges may sit for an instance in exceptionally serious cases, as the Major Archbishop may ordain.

Art. 30 - §1. Appeal from one bench is lodged at the bench that immediately follows it, without prejudice to Art. 29 §2.

§2. Appeal is to be requested with a petition presented to the presiding judge of the tribunal which issued the sentence (c. 1311). If the claim to appeal is lawful, the presiding judge is to issue a rescript: "The appeal is admitted; further proceeding is to be notified to the court." If the claim is rejected, reasons are to be given in writing. If the rejection is contested, §1 is to be followed in accordance with canon 1313.

Art. 31 - §1. A person who has taken part in a case as judge, promoter of justice, defender of bond, procurator, advocate, witness or expert, cannot afterwards in another instance of the trial validly resolve the same case as a judge or act as an assessor in the same instance (c. 1105).

§2. If the case was heard in the first instance collegially, likewise in appeal it is to be tried collegially and not by a lesser number of judges. If it was heard by a single judge, likewise in appeal it is to be
tried by a single judge, except in cases concerning the bond of sacred ordination or of marriage and in penal cases for offences entailing the penalty of major excommunication, privation of office, reduction to a lower degree of sacred orders, or of deposition from the clerical state or from an ecclesiastical office (cc. 1085 §3, 1084).

Art. 32 - It is for the Major Archbishop to prescribe, out of concern for the public good, the intervention of the promoter of justice in non-criminal cases, unless the intervention is required by the law itself or is evidently necessary by the nature of the matter. (c. 1095 §1).

Art. 33 - §1. An exception of non-confidence or prejudice raised against the promoter of justice or defender of bond is decided in tribunal by the president, or by the judge in case of a single judge (c. 1107 §3); such an exception raised against a judge is decided by the General Moderator of the Administration of Justice (c. 1062 §5).

§2. It is for the president of the Major Archiepiscopal Tribunal to nominate the substitutes for those excepted, and also when a judge or promoter of justice or defender of bond is obliged to refrain from acting in accordance with canon 1106.

Chapter 2

The Order of the Trial

Art. 34 - §1. The bill of complaint or libellus introducing the suit before the Major Archiepiscopal Tribunal, or an appeal to it, is addressed to the Major Archbishop, but is to be submitted to the chancery of the Tribunal.

§2. It is to be written in the prescribed form on the stamped paper of the Major Archiepiscopal Tribunal.

Art. 35 - §1. In case of appeals to the Major Archiepiscopal Tribunal, the judge whose sentence is appealed must transmit three copies of the acts duly authenticated by the notary (c. 1315 §2).
§2. If the appeal is lodged by the defender of the bond or by the promoter of justice, it can be renounced by the defender of the bond or by the promoter of justice of the Major Archiepiscopal Tribunal, unless common law provides otherwise (c. 1317).

Art. 36 - If it emerges during a trial that in a lower grade of trial the summary process was followed in a case excluded by law, the Major Archiepiscopal Tribunal must declare the nullity of the sentence and remand the case to the tribunal which passed it (c. 1355); if the discovery is made before the bench has been constituted, the declaration of nullity is made in a summary contentious process.

Art. 37 - It is for the president of the respective bench to determine on what day and at what hour the judges are to gather for their deliberation, at which no one else may be present (c. 1292 §1).

Art. 38 - As regards the defense briefs and the number of copies to be submitted (c. 1285 §3), the directives of the presiding judge are to be followed.

Art. 30 - The conclusions of the judges (c. 1292) and the sentence of the tribunal (c. 1294) must be written in English.

Art. 40 - It is the duty of the relator or ponens (c. 1291) to write the sentence, drawing the reasons from those which the individual judges brought out in the discussion, unless a majority of the judges decide which reasons are to be preferred. Afterwards the sentence is to be submitted for the approval of the individual judges (c. 1293 §2).

Art. 41 - §1. The permanent time-table of the Major Archiepiscopal Tribunal, after approval by the Major Archbishop, is annexed to these Statutes as a Schedule.

§2. The annual time-table is prepared by the president of the Major Archiepiscopal Tribunal after due consultation. A copy of it is to be exposed to the public view at the office of the tribunal.

§3. On the vacancy of the Major Archiepiscopal See, the Major Archiepiscopal Tribunal does not cease; however, the tribunal goes into
recession for three days. If needed, this period of recession may be prolonged for a few more days by the General Moderator of the Administration of Justice.

Chapter 3

Judicial Expenses and Gratuitous Legal Aid

Art 42 - As regards the judicial expenses and gratuitous legal aid, besides observing the canons 1334-1336 of CCEO, each case shall be considered on its own merit.

Art. 43 - The eparchies of the Syro-Malabar Church contribute towards the expenses of the Major Archiepiscopal Tribunal, especially for the remuneration of the officials, as determined by the Synod of Bishops.

Art. 44 - The rates of fees for judicial services, determined by a decree of the Major Archbishop and renewed periodically, are as per Schedule annexed to these Statutes. This Schedule is to be made known to the party at the presentation of the libellus introducing a suit.

Title III

Concluding and Transitory Norms

Art. 45 - §1. An annual report about the Major Archiepiscopal Tribunal is to be submitted in January every year by the president of the tribunal to the General Moderator of the Administration of Justice. Two copies are to be submitted, one of which, with his own comments, is to be forwarded to the Major Archbishop by the General Moderator.

§2. An annual report about the Major Archiepiscopal Tribunal is to be submitted in January every year by the president of the tribunal also to the Apostolic Signatura.

Art. 46 - If a doubt about the meaning of any of the articles of the Statutes of the Major Archiepiscopal Tribunal is not resolved by the
bench in session, it may be submitted to the president of the Major Archiepiscopal Tribunal, who together with the vicepresident, or another judge, and the bench in question seeks to resolve it. If the doubt still persists, it is to be submitted to the Major Archbishop for an authentic interpretation.

Art. 47 - In the light of experience, amendments to these Statutes may be proposed, after consultation with at least two other judges, by the president of the Major Archiepiscopal Tribunal through the General Moderator of the Administration of Justice to the Major Archbishop. Amendments are decreed by the Major Archbishop, always with due regard for the norms of CCEO.

Art. 48 - §1. These Statutes enter into force on the day they are promulgated.

These Statutes of the Major Archiepiscopcal Ordinary Tribunal are promulgated ad experimentum for a period of three years.

Given at the Major Archiepiscopcal Curia on 1st January 1995.

✠ Archbishop Abraham Kattumana

Pontifical Delegate
Revised Statutes of St. Thomas Apostolic Seminary Vadavathoor, Kottayam\(^1\)

Chapter I

Preliminary

Art. I Introduction

1) These Statutes are a revised form of the 1971 approved Statutes of the St. Thomas Apostolic Seminary. The revision is made taking into consideration the changed canonico-juridical status of the Syro-Malabar Church and the situations arising from the erection of the Faculty at the Seminary.

2) Once these Statutes come into effect the 1971 approved Statutes of the Seminary cease to have juridical effect and all contrary rules, regulations and customs are abrogated.

Art. II Sources

These Statutes have been drawn up paying due attention to the following documents:

1) The Documents of the Second Vatican Council, especially the Decree Optatan totius.

2) Ratio Fundamentalis Institutionis Sacerdotalis of the Congregation for Catholic Education (published in 1970 and revised in 1985) and the circular letters of the Congregation on the various aspects of theological studies and priestly formation.

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This text was discussed and approved in the Synod held from 7 to 23 December 1994 at Ernakulam. As the Seminary is of Major Archiepiscopal right its approval is the competence of the Supreme authority of this Church.
3) *Programme of Priestly Formation for India* approved by the Catholic Bishops’ Conference of India (1970).


5) *Charter of Priestly Formation for India* approved by the Catholic Bishops’ Conference of India (1988).


8) *Directives Concerning the Preparation of Seminary Educators* (Congregation for Catholic Education, 1993).

**Art. III Clarification of Terms**

Unless the context requires otherwise:

1) “Formatter” means the Rector and all the members of the Staff of the Seminary.

2) “Institute” means the Pontifical Oriental Institute of Religious Studies, otherwise known as *Paurastya Vidyapitham* that is erected at the Seminary.

3) “President” means the President of the *Paurastya Vidyapitham*.

4) “Rector” means the Rector of the Seminary.

5) “Seminary” means St Thomas Apostolic Seminary, Vadavathoor, Kottayam.

6) “Seminary Council” means the Council consisting of Rector and a few members of the Staff constituted according to the provisions of these Statutes.

7) “Staff” means the Staff of the Seminary consisting of the Officials, Spiritual Directors, Animators and Teachers of the Seminary.
8) "Staff Assistant" means the clerical staff, technical assistants and attendants of the Seminary.

9) "Staff Council" means the Council consisting of Rector and all the members of the Staff of the Seminary.

10) "Statutes" means Statutes of the Seminary.

11) "Synod" means the Synod of Bishops of the Syro-Malabar Major Archiepiscopal Church.

12) "Synodal Commission" means the Commission appointed by the Synod consisting of a Chairman and two members elected from among its members for the governance of the Seminary. (This Synodal Commission is the same as that of the Paurastya Vidyapitham).

13) "Appointed by the Chairman of the Synodal Commission" means "in consultation with the other members of the Commission".

Art. IV History

1) The St. Thomas Apostolic Seminary was formally erected through the decree Prot. No. 260/59 dated April 26, 1962 of the Congregation for the Oriental Churches and the Seminary began to function on July 3, 1962. It was the realization of the hopes and efforts of the Syro-Malabar Church to have its own institution of priestly formation.

2) The Seminary was subject to the authority and control of the Syro-Malabar Bishops' Conference which exercised its authority and control over the Seminary through an episcopal commission.

3) The Seminary was intended for the formation and education of the seminarians of all the Syro-Malabar Archdioceses and of the Syro-Malankara Archdioceses. The Seminary was open also to the seminarians of other individual Churches, especially of the Latin dioceses of Kerala.
4) As the Seminary developed into a full-fledged institution of priestly formation, the theology department of the Seminary got affiliated to the Faculty of Oriental Ecclesiastical Sciences at the Pontifical Oriental Institute in Rome by the letter of the Congregation for Catholic Education, Prot. No. 674/72/13 dated 21 February 1973. After an experimental period of four years the affiliation was renewed for a further term on April 10, 1977. On April 20, 1979 the Syro-Malabar Bishops’ Conference submitted a petition to the Congregation for Catholic Education for the erection of an autonomous Faculty of Theology at the Seminary. The Faculty was erected by the Decree of the Congregation for Catholic Education, Prot. No. 679/75/78 dated July 3, 1982 with the name “Paurastya Vidyapitham” or “Pontifical Oriental Institute of Religious Studies”.

5) When the Syro-Malabar Church was raised to the Major Archiepiscopal status (December 16, 1992) the Seminary became immediately subject to the authority and control of the Major Archbishop and the Synod. The authority of the Major Archbishop has been provisionally exercised by Archbishop Abraham Kattumana who was appointed as Pontifical Delegate to the Syro-Malabar Major Archiepiscopal Church (December 16, 1992).

CHAPTER II

Name, Nature and Purpose

Art. V Name

The Seminary is called “St Thomas Apostolic Seminary”.

Address: St Thomas Apostolic Seminary,
          Vadavathoor,
          Kottayam 686 010, Kerala, India.
Art. VI *Nature*

1) The Seminary is immediately subject to the authority and control of the Syro-Malabar Major Archbishop and the Synod of Bishops.

2) The Seminary is an independent juridic person and has the right to acquire, possess or alienate its property, movable and immovable, for the pursuit of its aims and objectives as per norms. (CCEO, c. 335 §1)

3) The Seminary is an educational Institution and is not a profit making concern.

4) In case of the dissolution of the Seminary, its assets and liabilities will devolve upon the Syro-Malabar Bishops’ Synod.

5) The Rector represents the Seminary in all juridical matters pertaining to the Seminary and all legal instruments shall be drawn in his name. The same is valid also in case of litigations in which the Seminary becomes a party (CCEO, c. 335 §2).

Art. VII *Purpose*

1) The Seminary is intended to provide priestly formation to the seminarians of the Syro-Malabar Epararchies. Members of institutes of consecrated life who are preparing themselves for priestly ministry as well as seminarians of other individual Churches may also be admitted according to the availability of accommodation.

2) The programme of formation given here aims at the development of a fully integrated priestly personality taking into account the human, spiritual, intellectual, pastoral and missionary dimensions of priestly formation. In giving this formation the Seminary will give particular emphasis to the study of traditions and heritages of the Church of St. Thomas Christians and of the other Eastern Churches taking into consideration the religious and cultural context of India (CCEO, c. 345).
3) The Seminary will collaborate in close communion with the Hierarchs and with the local and universal Church, in the work of evangelization.

4) It will give opportunity to the seminarians to study the heritages of other Churches sui iuris and will help to promote cooperation with those Churches and will provide formation to the seminarians accordingly.

5) It will provide opportunity for ecumenical formation and cooperate with the ecumenical endeavour of the Church and foster inter-religious dialogue particularly with the religions of India.

6) The Seminary will cooperate with the Hierarchs in the ongoing formation of the priests.

CHAPTER III: GOVERNMENT

SECTION ONE: GOVERNING AUTHORITY

Art. VIII The Major Archbishop

1) The Seminary is subject to the authority and control of the Major Archbishop and the Synod.

2) The Seminary together with all its possessions of land and buildings is under the jurisdiction of the Major Archbishop.

3) It is the duty of the Major Archbishop to ensure that the Seminary as an important institution of the Syro-Malabar Major Archiepiscopal Church makes constant progress and functions in accordance with the directives of the Holy See and those of the Synod and safeguards the Catholic doctrine in its integrity.

4) It is the competence of the Major Archbishop to appoint the Rector as per art. XI of these Statutes.

5) If the Major Archbishop is impeded from exercising his authority, the Chairman of the Synodal Commission acts in his place and
shall refer the matter to the Permanent Synod of the Syro-Malabar Major Archiepiscopal Church.

**Art. IX The Synodal Commission**

1) There shall be a Synodal Commission of three Bishops elected by the Synod for the government of the Seminary. One of them is to be elected Chairman by the Synod. (The same Commission shall be responsible also for the government of *Paurastya Vidyapitham*).

2) The members of the Synodal Commission shall be elected for a period of five years and are eligible for a second consecutive term. In electing the members of the Commission care should be taken that at least one of the members continues and at least one of the members is changed.

3) If the Chairman or a member of the Commission is impeded from exercising his responsibility, the Major Archbishop with the consent of the Permanent Synod is to provide a substitute until the next meeting of the Synod.

4) The Synodal Commission is entrusted with the overall supervision of the Seminary and shall see to the human, spiritual, moral, pastoral and missionary formation of the students, and the studies, discipline and the temporal affairs of the seminary. In view of the Commissions’ role of overall supervision, its approval must be sought for the introduction of major changes in the life of the Seminary and its curriculum of studies.

5) The Chairman of the Synodal Commission will be immediately responsible for official relations with the Rector and Staff. Matters concerning the Seminary that are to be referred to the Holy see, the Major Archbishop and the Synod of Bishops are presented through the Chairman of the Commission.

6) In all important matters, consent of the Synod is necessary. A matter is considered important if the majority of the Permanent
Synod or if two members of the Synodal Commission consider it to be so.

7) At least once a year the Commission or the Chairman of the Commission shall visit the Seminary and meet the Staff and students.

**Art. X The Hierarchs of the Syro-Malabar Major Archiepiscopal Church**

1) The Hierarchs will regard the Seminary with active and loving concern and should inspire and sustain those who work in the Seminary and show themselves true fathers to the students. (OT No.5)

2) They shall consider the Seminary as the heart of the Syro-Malabar Church and make periodic visits to the Seminary and keep close contact with their seminarians. They may, however, issue particular directives affecting the Seminary discipline, only after consulting the Rector.

**SECTION TWO : THE AUTHORITIES AND THE FORMATION**

**Art. XI Rector**

1) The Rector shall be appointed by the Major Archbishop with the consent of the Synod. In the appointment of the Rector the following procedure shall be followed: The commission shall consult individually the Rector and the members of the Staff of the Seminary and present a panel of at least three names to the Synod. The Synod may choose any one from the panel; if none of the members of the panel is found suitable, the Synod may elect someone else as Rector after considering the findings of the Synodal Commission.
2) The term of office of the Rector shall be for a period of five years, which may be renewed only once. He shall continue in office until the new Rector takes charge.

3) The Rector of the Seminary is to fulfil the office of the Pastor for all who are in the Seminary and is mainly responsible for all aspects of Seminary life (CCEO, C.336 §2; *Directives concerning the preparation of Seminary Educators, [Directives, for short] No.43)*.

4) As the Rector holds the highest responsibility in the administration of the Seminary he should enforce the observance of the Statutes and of the Directory of the Seminary by the Staff and students, coordinate the works of other moderators and officials and foster unity and collaboration in the whole Seminary. (CCEO, C.338 § 2).

5) He shall closely attend to the integral well-being and formation of the seminarians through common instructions and individual conferences.

6) He shall be responsible for the admission, promotion, suspension or dismissal of students in accordance with the norms of these statutes.

7) In addition to these duties, he shall:
   
   (i) Convene the collegial bodies of the Seminary regularly or whenever there is need and preside over their meetings;

   (ii) refer to the Chairman of the Synodal Commission matters of major importance and keep him informed of the activities and needs of the Seminary;

   (iii) send annual report of the life and activities of the Seminary and the audited report of its finances to the Major Archbishop through the Chairman of the Synodal Commission; he shall send a copy of the annual statement of accounts to all the bishops of the Synod;
(iv) ensure the faithful implementation of the directives of the Holy See and of the governing authority;

(v) propose to the Chairman of the Synodal Commission names of those who are to be appointed officials, Spiritual Directors and teachers in the Seminary;

(vi) ensure that the members of the Staff follow the approved norms and programme of formation and the schedule of the Seminary;

(vii) send testimonial letters of students to be ordained priests and deacons or who are to receive the minor orders with their petition to the respective Hierarchs and Superiors;

(viii) send annual reports of the seminarians to the respective Hierarchs and Superiors (CCEO, c. 356);

(ix) preside over the administration of the temporalities;

(x) represent the Seminary in dealing with civil authorities and in juridical matters pertaining to the Seminary.

Art. XII Vice-Rector

1) There shall be a Vice-rector for the Seminary. The Chairman of the Synodal Commission shall appoint the Vice-Rector after consulting the Rector and the members of the Seminary Staff.

2) The term of office of the Vice-Rector shall be for a period of five years, which is renewable only once in succession.

3) The Vice-Rector will closely cooperate with the Rector in the general administration of the Seminary. He will have the powers and responsibilities of the Rector in his absence.

4) He shall carry out any related function assigned by the Rector as the need arises.
Art. XIII  **Finance Officer**

1) The Seminary shall have a Finance Officer who is appointed by the Chairman of the Synodal Commission after consulting the Rector and members of the Seminary Staff.

2) The term of office of the Finance Officer shall be for a period of five years which may be renewed only once.

3) The Duties of the Finance Officer:

   (i) He is in charge of all the properties of the Seminary, movable and immovable and he administers the financial matters under the guidance and supervision of the Rector and in accordance with the prescriptions of common law and the provisions of these Statutes.

   (ii) He shall maintain proper accounts and get them audited, prepare the annual budget and present them to the Financial Council.

   (iii) He shall be in charge of the mess, maintenance of the building, animal husbandry, cultivation of the land and the welfare of the domestic staff. He may hire or dismiss the domestic staff with the consent of the Rector.

Art. XIV  **Spiritual Directors**

1) There shall be sufficient number of Spiritual Directors in the Seminary and each seminarian should have his Spiritual Director. One may choose his Spiritual Director also from among the other formators in the Seminary who are approved by the Rector. (CCEO C.339 § 1)

2) The role of the Spiritual Director is to give the seminarians adequate spiritual and moral guidance and enable them to gradually assume full responsibility for their own spiritual life. Drawing from the great spiritual heritage of the Eastern Churches, they should enable the seminarians to live a fully ecclesial life of
the Syro-Malabar Church. They shall constantly strive to deepen the spirituality of the seminarians so that they themselves may in the future become true spiritual guides to those whom they are to serve, especially the religious and the laity in their pursuit of holiness. They should help the seminarians to discern their vocation and enable them to make free and mature decisions.

3) The Spiritual Directors should be mature persons with pastoral experience and adequately qualified in spirituality and counselling.

4) The Spiritual Directors are appointed by the Chairman of the Synodal Commission on the recommendation by the Rector who shall consult the Staff before making the recommendation.

5) The Spiritual Directors are appointed first on probation for at least three years with annual reappointment and are made permanent only thereafter.

Art. XV  Prefect of Studies

1) There shall be a Prefect of Studies to supervise the programme of studies conducted by the Seminary.

2) He shall be appointed by the Chairman of the Synodal Commission on recommendation of the Rector.

3) The Rector shall consult the Staff Council before making the recommendation.

4) The Prefect of Studies shall be chosen from the Staff of the Seminary.

5) The Prefect of Studies shall be appointed for a term of three years which may be renewed only once in succession.

6) His duties are:

   (i) To draw up the time-table of the classes

   (ii) To make arrangements for the examinations
(iii) To publish the results of examinations
(iv) He shall carry out his duties in consultation with the Rector.

Art. XVI Librarian and Library Council

1) The Seminary shall have a Librarian appointed by the Chairman of the Synodal Commission on recommendation by the Rector who shall consult the Staff before making this recommendation.

2) The Librarian is appointed for a term of five years which may be renewed.

3) There shall be a Library Council consisting of seven members including the Rector, Prefect of Studies, President of the Paurastya Vidyapitham and Librarians of the Seminary and the Paurastya Vidyapitham as ex officio members. The two other members are appointed by the Chairman of the Synodal Commission in consultation with the Rector.

4) The tenure of the office of the appointed members shall be three years which may be renewed only once in succession.

5) The librarian is the ex officio secretary of the Library Council.

6) The Library Council shall be presided over by the Rector. It shall meet occasionally to help the librarian in the selection of books to be acquired and to suggest means for the proper functioning of the library.

Art. XVII Teachers and Animators

1) Teachers

(i) The Seminary shall have sufficient number of teachers who are "marked by an upright life, integrity of doctrine and devotion to duty" (SC Art. 26 § 1).

(ii) All teachers who teach disciplines concerning faith or morals must receive, after making their profession of faith, the missio canonica from the Chairman of the Synodal
Commission, before they assume their office. The appointment by the Chairman includes the authorization to teach in the Seminary.

(iii) It is recommended that all teachers have at least a licentiate or Masters' degree in the subject which they teach and should have the skills of effective communication and pedagogy.

(iv) All teachers should maintain integrity of doctrine by being faithful to the Word of God and the teaching authority of the Church.

(v) A teacher is first appointed as probationary for one year which can be renewed for two more years and thereafter as permanent if found suitable.

2. Animators

(i) The formation given mainly through external discipline and rules to a large group of students tends to become largely impersonal and ineffective. It is necessary that each seminarian gets personal attention and guidance and develop his character. In order to meet this need there shall be adequate number of animators (moderators). They shall be assigned a small group of seminarians, with whom they shall keep close and personal relationship and assist them in their integral growth.

(ii) The animators should be specially qualified with knowledge and skills in the human sciences and counselling.

(iii) The animators function within the external forum of the life of the seminarian. Matters of internal forum shall be the concern of the seminarian's Spiritual Director.

(iv) As a rule animators are chosen from among the Staff of the Seminary as it would facilitate a more integrated formation.

(v) They are appointed by the Rector for a term of three years.
(vi) For the effective functioning of this system there should be unity of spirit and action and proper coordination among the animators under the guidance of the Rector.

Art. XVIII Selection and Training of Formators

1) The formators (authorities, spiritual directors, teachers and animators) should be exemplary priests capable of communicating priestly ideals to the seminarians, not only by word but also by their life. "They should be chosen from among the best and be painstakingly prepared by the solid doctrine, appropriate pastoral experience, and special spiritual and pedagogical training". (OT No. 5).

2) They should be men of faith and prayer, of exemplary life, having communication skills and ability for team-work and life in community. They should give example to the seminarians by regularly participating in the liturgy and community functions in the seminary. (Directives, No. 46).

3) The formators are not to assume such outside commitments that would interfere with or seriously curtail, their availability and service in the Seminary.

4) The formators should be given sabbatical years. During this period they should improve their academic qualifications or engage themselves in pastoral service in the Syro-Malabar Church or its missionary activities.

5) It is highly recommended that the formators be chosen from as many eparchies of the Syro-Malabar Church as possible. The Rector shall request as the need arises, the Hierarchs of the Syro-Malabar eparchies to propose names of candidates from their eparchy for appointment as formators. The Synodal Commission shall make appropriate choice in consultation with the Rector.
Art. XIX Absence from the Seminary

The members of the Staff should inform the Rector if they absent themselves from the Seminary for more than a day and if their absence is for more than a week they should do so only in consultation with the Rector. If they are absent for more than a month permission of the Chairman of the Synodal Commission is required.

Art. XX Remuneration to the Staff

The authorities and members of the Staff shall be paid a suitable remuneration, taking into account the local custom prevalent in similar institutions of the Church and as sanctioned by the Synodal Commission. The members of the Staff shall be provided free board and lodge by the Seminary. The Seminary shall also meet the expenses involved in the medical treatment of the members of the Staff. The maximum amount payable for medical treatment shall be determined by the Synodal Commission.

Art. XXI Cessation of office

1) One ceases to be a member of the Staff:

(i) on termination of the period of appointment.

(ii) on reaching the age of retirement which is fixed as sixty-five completed. In particular cases exception can be made by the Synodal Commission.

(iii) On becoming unable to fulfil effectively the duties of one’s office because of physical or mental ailment. The Synodal Commission in consultation with the Rector shall decide on this matter.

(iv) On being recalled by one’s Hierarch in the case of diocesan clergy or Major Superior in the case of a member of an institute of consecrated life. The Hierarch or Superior may withdraw a teacher only in consultation with the Chairman of the Synodal Commission and with prior notice of at least
six months. He should do so only for proportionately grave reasons.

(v) On being absent from the Seminary for more than a month without prior permission or information and justifying reason.

(vi) On being removed from one's office in the Seminary:

(a) One can be removed from his office or suspended for grave reasons arising from the non-fulfilling of the requirements mentioned in these Statutes. A member of the Staff is suspended by the Chairman of the Synodal Commission, if his continued presence constitutes an immediate danger or a scandal in any way. The suspension can not be prolonged for more than three months. In the meantime the prescribed canonical procedures must be initiated or the accused must be reinstated.

(b) A member of the Staff may be removed from the office only after observing the following procedural norms and canonical equity.

(c) The matter may be first, considered privately between the Rector and the person concerned. If it is not settled there, it should be brought before the Seminary Council. If no solution is reached, then the matter is to be taken up with the Hierarch or Superior as the case may be of the person concerned and eventually to the Synodal Commission for an extra-judicial decree.

(d) If the mediation attempts are not successful, then the matter shall be referred to the Major Archiepiscopal Ordinary Tribunal for a judicial sentence.

Art. XXII Staff Assistants

There shall be sufficient number of staff assistants appointed by the Rector in consultation with the concerned department and the
Finance Council. They shall be paid a suitable remuneration taking into account the local custom prevalent in similar institutions of the Church.

**Art. XXIII Collegial Bodies**

1) **Staff Council**

(i) The Staff Council consists of all the members of the Seminary Staff. In view of the community aspect of Seminary life, the Rector should have the cooperation of all members of the Staff so that the formation of the students may be promoted by a common and united effort.

(ii) The Rector shall hold regular meetings of the Staff Council, at least once in two months, to co-ordinate activity, examine problems of formation and seek opportune solutions.

(iii) The Rector shall preside over the meetings of the Staff Council.

(iv) There shall be a secretary appointed by the Rector who will help the Rector to prepare the agenda, write the minutes and keep the record of the proceedings of the Staff Council.

2) **Seminary Council**

(i) There shall be a Seminary Council to study and take decisions on important matters that affect the life and activities of the Seminary.

(ii) **Members of the Seminary Council:**

   The Rector, Vice-Rector, Finance Officer, Prefect of Studies and President of *Paurastya Vidyapitham* shall be ex officio members of the Seminary Council. Two of the animators, one from the philosophy section and the other from Theology section shall be elected members of the Seminary Council by the Staff Council for a period of three years. In the evaluation of the students the animator of the respective class shall be also a member.
(iii) The Rector shall preside over the meetings of the Seminary Council. One of the members designated by the Rector shall serve as the Secretary of the Seminary Council.

(iv) Functions of the Seminary Council:

(a) The Seminary Council makes annual evaluation of all the seminarians. As regards the seminarians who receive Major and Minor Orders, the Rector shall discuss each individual case in the Seminary Council and send to the respective Hierarchs and Superiors the Ordinand's petition together with all relevant information and his own considered opinion.

(b) The Rector in consultation with the Seminary Council shall decide on matters of admission, promotion, suspension and dismissal of students. For very grave offenses which require immediate measures the Rector may take appropriate action and inform the Seminary Council.

(c) The Seminary Council shall meet at least twice a year or whenever the Rector deems it necessary or when a third of the members request in writing for a meeting.

3) Finance Council

(i) There shall be a Finance Council consisting of the Rector, Vice-rector, Finance Officer and President of Paurastya Vidyapitham as ex officio members. Two more members from among the permanent staff of the Seminary shall be appointed as members of the Finance Council by the Chairman of the Synodal Commission on the recommendation of the Rector.

(ii) The Council shall be responsible for the financial administration of the Seminary.

(iii) The approval of the Finance Council is required for extra-ordinary expenditure exceeding Rs. 25,000/-. If an amount
above Rs. 1,00,000/- has to be spent for a specific purpose, written permission of the Chairman of Synodal Commission is required.

(iv) It is the duty of the Finance Council to submit to the Syndoal Commission for the approval of the annual budget and annual accounts.

(v) The Finance Council shall be convened at least twice a year. The Finance Officer shall be the ex officio convener cum secretary of the Finance Council and the Rector shall preside over it.

CHAPTER IV

Students

Art. XXIV

The Seminary is intended for the formation a seminarians of all Syro-Malabar Eparchies. The students of institutes of consecrated life and of other Churches sui iuris may also be admitted according to the availability of seats.

Art. XXV

1) Requirements for Admission

(i) Only students who are presented by the respective Hierarchs or Superiors in the case of the institutes of consecrated life are admitted to the Seminary.

(ii) Students are admitted only at the beginning of the academic year and normally only to the Initiation course. Students may be admitted also in the I year of Theology course according to the availability of seats.

(iii) All the students who seek admission must have passed the pre-degree course of a recognized University and undergone
at least one year of Minor Seminary formation or in the case of members of Institutes of Consecrated Life, one year of preparation in their Institute.

(iv) All the students who seek admission to the Initiation Course should have passed the entrance examination conducted by the Seminary.

(v) For admission to the Theology Course, the applicant must have a basic philosophical formation of at least two years. (SC 72(a); 73, § 2).

2) Participation in the Formation Programme

(i) All the seminarians must participate in all community prayers and functions prescribed by the Seminary, must attend all lectures and carry out the assignments and exercises prescribed by the Seminary and the Institute, and should faithfully observe the rules and regulations of the Seminary, unless exempted by the legitimate authority.

(ii) One who is absent from the common functions, lectures and academic exercises for more than a third of the year, even for a legitimate reason, is liable to repeat the year.

3) Disciplinary action

(i) Students will be suspended or dismissed from the Seminary if they fail to meet the prescribed standards of Seminary formation or if there is serious failure in the observance of the rules and regulations of the Seminary.

(ii) The Rector in consultation with the Seminary Council decides on suspension or dismissal. The Rector shall immediately inform the respective Hierarch or Superior of the disciplinary action taken.

(iii) The Rector shall take immediate measures if the offence is very serious. In other cases the students shall be given
warning about his failure and be given opportunity to improve himself before serious measures are taken.

(iv) In all cases of disciplinary measures the student concerned shall have the opportunity to explain himself.

(v) If the seminarian is also a student of the Institute the Rector shall inform the President of the Institute of the disciplinary action taken.

(vi) At the end of the year the Rector shall send a report on every student concerning his performance in various aspects of Seminary life to the respective Hierarch or Superior.

4) Cessation of Enrollment in the Seminary

(i) A Student ceases to be a member of the Seminary:

(a) At the end of the Seminary formation

(b) On voluntary withdrawal

(c) On withdrawal of the presentation by the respective Hierarch or Superior.

(d) On dismissal: One who is dismissed from the Institute stands dismissed also from the Seminary and vice-versa.

(e) if a student of the Institute, who is also a student of the Seminary, is dismissed from the Institute on account of insufficient academic standard, the Seminary may permit him to continue in the Seminary and attend the classes at the Institute as a guest student, if he is found to be otherwise qualified to be promoted for ordination. His academic performance shall be evaluated by the Seminary.
CHAPTER V
Programme of Formation

Art. XXVI General Principles

1) The formation of future priests has always been considered as one of the most demanding and important tasks of the Church. The need for the Major Seminary for the formation of candidates for the priesthood was affirmed by the Second Vatican Council (O.T.No.4) and has been reaffirmed by the Synod of Bishops in Rome (*Pastores dabo Vobis*, No,60).

2) The nature and purpose of a Major Seminary are clearly stated in the following words of *Pastores dabo Vobis*:

(i) “The Seminary should be experienced not as something external and superficial or simply a place in which to live and study, but in an interior and profound way. It should be experienced as a community, a community that re-lives the experience of the group of Twelve who were united to Jesus” (No. 60). The unique and distinctive role of the Seminary as a house of formation is repeatedly affirmed in this Apostolic letter. The Seminary in its deepest identity is called to be “a continuation in the Church of the apostolic community gathered about Jesus, listening to his word, proceeding towards the Easter experience awaiting the gift of the spirit for the mission”. (No. 60). This ideal constitutes the norm for the Seminary, which will be concretely realized by being faithful to the gospel values and by responding to the situations and needs of the times.

(ii) The Seminary is called an”educational ecclesial community.” “The Seminary and its entire life, in all its different expressions, is committed to formation, the human, spiritual, intellectual and pastoral formation of future priests”.(No. 61)

(iii) “As an educational community, the Seminary should follow a clearly defined programme which will have as a characteristic, a
unity of leadership expressed in the figure of the Rector and his cooperators, a consistency in the ordering of life, formational activity and the fundamental demands of community life, which also involves the essential aspects of the task of formation. This programme should be at the service of the specific finality which alone justifies the existence of the Seminary and it should do so without hesitation or ambiguity. That aim is the formation of future priests, pastors of the Church” (No. 61)

3) The Seminary, being an important institution of the Syro-Malabar Major Archepiscopcal Church for the formation of its priests should give a formation that is in accordance with the traditions and requirements of this individual Church, while taking care to foster genuine love and concern for the universal Church and other individual Churches.

4) The formation programme, being situated within the Indian reality, should draw upon this country’s rich cultural and spiritual heritages and prepare the students to respond to the challenges posed by the contemporary situations in India.

5) The training programme in all its aspects ought to provide for the development of a fully integrated priestly personality after the model of Jesus Christ who was teacher priest and shepherd. The entire formation programme, including human, spiritual, intellectual, Pastoral and missionary formation, discipline and cultural activities are all organized and unified by bringing them into harmony with the one aim that justifies the existence of the Seminary: preparation of future priests.

6) Though the entire programme of formation is directed towards pastoral goal (OT No. 4), it can be understood in different dimensions: Human, spiritual, intellectual, missionary and pastoral. Though the intellectual formation has its specific characteristics and is imparted mainly by the Institute except for the first year of initiation and the final year of pastoral formation it is also the responsibility of the Seminary to see that the seminarians receive a theological formation that
corresponds to the goal of the Seminary, besides coordinating all the aspects of formation.

7) It is to be particularly emphasized that the seminarian is the chief agent and subject of his own formation. It is his responsibility to make himself receptive to the grace of God and cooperate with the formation programme and grow daily in his priestly vocation.

Art. XXVII The Stages of Formation

1) The priestly formation imparted here has the following stages:

(i) One year of Initiation conducted by the Seminary. It consists of introductory courses on spirituality, liturgy, Bible, methodology of studies and languages.

(ii) Two years of philosophy leading to a B.Ph degree conducted by Paurastya Vidyapitham.

(iii) An year of regency. During this period the seminarian lives outside the Seminary and engages himself in some work assigned to him by his Hierarch or the Superior as the case may be. This period of regency enables him to acquire greater maturity and first-hand experience of the real conditions of the world and promote his pastoral knowledge. Exemption from regency can be granted to a student after receiving the consent of the respective Hierarch or Superior and of the Seminary Council.

(iv) Three years of theology leading to a B.Th. degree conducted by the Paurastya Vidyapitham.

(v) One year of pastoral and liturgical formation and courses in priestly spirituality conducted by the Seminary.

Art. XXVIII Dimensions of Formation

1) Human formation

(i) The basis of priestly formation is human formation. The priest should try to reflect in himself the human perfection of Jesus
Christ. The seminarian should, therefore, cultivate a series of human qualities for his personal growth as well as for the sake of ministry. The seminarians should be educated to love the truth, to be loyal, to respect every person, to have a sense of justice, to be true to their word, to be genuinely compassionate, to be men of integrity and to be balanced in judgement and behaviour (*Pastores dabo vobis*, No. 43). Of particular importance is the capacity for genuine interpersonal relationship and the ability to cooperate with others.

(ii) He should not be "arrogant or quarrelsome but affable, hospitable sincere in his words and heart, prudent and discreet, generous and ready to serve, capable of opening himself to clear and brotherly relationships, and of encouraging the same in others, and quick to understand, forgive and console." (*Pastores dabo vobis*, No. 43).

(iii) As part of human formation, instructions should be given about sexuality and affective maturity. This includes also education of the moral conscience.

(iv) As a priest is called to leadership in the community, a seminarian must have initiative, organising ability, and responsibility. As a priest is expected to be a gentleman, the seminarian should be given instructions on good manners and etiquette.

2) Spiritual Formation

(i) Human formation finds its completion in spiritual formation which is "an extremely important element of a priest’s education." (*Pastores dabo vobis*, No. 45).

(ii) The following aspects of spiritual formation are given particular emphasis in Vatican II decree on Priestly formation, the *Code of Canons for the Eastern Churches* (CCEO c. 346 § 2) and are reaffirmed by *Pastores dabo vobis* (No. 46).

(a) "The formation of those aspiring to the sacred ministry is to be such that they learn to cultivate in the Holy Spirit familiar companionship with Christ and to seek God in all things so that,
impelled by the love of Christ, the Pastor, they become solicitous to gain all people for the kingdom of God by the gift of their very lives” (CCEO c. 346 § 1). This companionship has its beginning in Baptism and is nourished daily with the Eucharist.

(b) The seminarians should experience the genuine meaning of Christian prayer as a living and personal meeting with the Father through the Son under the action of the Spirit. A priest is a teacher of prayer and he can fulfil this mission only if he himself has been trained in it. They should learn the religious value of silence which is essential for cultivating the spirit of prayer.

(c) “Day by day let them draw especially from the Word of God and the sacraments force for their spiritual life and strength for their work of apostolate” (CCEO c. 346 § 2):

1º Through watchful and constant meditation of the Word of God and getting a faithful understanding of it according to the Fathers of the Church, let the students acquire the habit of configuring their life ever more to the life of Christ, and, fortified in faith, hope and charity, let them train to live according to the pattern of the gospel;

2º let them participate assiduously in the Divine Liturgy, which being the source and summit of the whole of Christian life, is so to be seen for seminary life as well. As priests are first and foremost ministers of the Eucharist, it is expected that the seminarians take part daily in the eucharistic celebration. Eucharistic devotions as adoration of the Blessed Sacrament, Holy Hour and visits to the Blessed Sacrament are recommended;

3º let them learn to celebrate constantly the Liturgy of the Hours according to their own rite and draw nourishment from it for their spiritual life;

4º having great regard for spiritual direction, let them learn how to examine their conscience rightly, and let them receive the sacrament of penance frequently;
5° let them venerate with filial piety Holy Mary, the ever virgin Mother of God, whom Christ, the Eternal Priest, has made mother of all men and women, through such devotions as Rosary;

6° such exercises of piety are to be fostered that are helpful to the spirit of prayer and make for the strengthening and defence of an apostolic vocation, especially those exercises that are commended by the venerable tradition of the Syro Malabar Church, like devotion to St. Thomas, specific disciplines on feasts, fasts and penance, the mystical and ascetical spiritual exercises in the Indian cultural background; recommended in all event are spiritual retreat, instruction concerning the sacred ministries, exhortation about spiritual progress;

7° the students are to be educated to have the sense of the Church and of its service as well as in the virtue of obedience and in mutual fraternal cooperation; let them be trained to carry out their duties in humble submission to the will of God and thus prepare themselves to become loyal co-workers of their bishops and work in union with their brother priests;

8° they are to be helped also in cultivating all those other virtues which have great relevance to their vocation, such as discernment of spirits, chastity, fortitude; let them also esteem and cultivate those virtues which are most valued by people and commend the minister of Christ, among which are sincerity, a keen concern for justice, fidelity to one's promises, good manners, modesty in conversation joined with charity;

9° let them be educated to know, appreciate, love and live celibacy for evangelical, spiritual and pastoral motives; they shall not see celibacy as a mere external condition for admission to ordination, but as a value whereby a man identifies himself more profoundly with Jesus Christ. Celibacy should be considered as a special gift of God. As part of spiritual formation it should be presented clearly and in a positive way. The seminarian should have
sufficient degree of psychological and sexual maturity as well as an authentic life of prayer;

10° let the seminarians be taught to be not only poor in spirit but also living examples of simplicity and detachment and let them also have an increasing concern in the struggle of the poor for freedom and justice.

(d) The disciplinary norms of the seminary are to be applied having regard for the maturity of the students so that, while they learn by degrees to regulate themselves, they get into the habit of using their freedom wisely and of behaving spontaneously and diligently” (CCEO c. 346 § 3). Discipline should be exercised in a way which would help to develop in the students an internal attitude by which the authority of superiors will be accepted out of conviction and for supernatural reasons (OT No. 11).

3) Intellectual formation (CCEO cc.347-350)

The intellectual formation of seminarians aims at widening their vision in Christ of God, the world and man and thus deepen their faith and thus enable them to commit themselves wholeheartedly to the service of the kingdom of God (Charter on Priestly Formation for India, 3.2.3). The general orientation of intellectual training should profoundly pastoral and missionary. It must be relevant to the world in which the future priest has to live and work.

(i) Initiation

a) During the period of Initiation the students are given a more intense orientation in spiritual life and help them develop the human qualities, mental maturity and proper methodology of studies. During this period students will make efforts to acquire a good knowledge of the languages, especially of English, Malayalam and ancient languages.

b) Only students who have passed this initiation course are promoted to the philosophy course.
(ii) Philosophical Studies (CCEO c. 349)

Philosophical training consisting of philosophy proper and human sciences, social and behavioral, lasts two years. Through philosophical studies the "students should acquire a solid and coherent understanding of man, of the world and of God." (OT No. 15). The study of philosophy should create in them deep personal convictions, maturity of mind and openness to truth. They should be helped to see the connections between philosophy and mysteries of salvation which would lead to a proper integration of philosophy and theology. The students should be given adequate training in the rich heritage of Indian thought and understanding of the Indian reality. They should be conversant with the philosophical heritage which is perennially valid and the contemporary philosophical problems. The study of human sciences will help the seminarians to acquire a knowledge of the socio-political and economic forces working in the society.

(iii) Theological studies (CCEO c. 350)

(a) Theological studies last three years and should consist of the study of Sacred Scripture, Dogmatic Theology, Liturgy, Patristics, Homiletics, Moral Theology, oriental Spirituality, Canon Law, Church History, Pastoral Theology, Catechetics, Missiology and Ecumenism and Dialogue. "Theology should be taught under the light of faith and with the guidance of the Church’s teaching authority: (OT No. 16).

(b) By the study of theology the future priest grows in his spiritual life and prepares himself for his ministry. "To be pastorally effective intellectual formation is to be integrated with a spirituality marked by a personal experience of God. In this way a purely abstract approach to knowledge is overcome in favour of that intelligence of heart which knows how to look beyond and then is in a position to communicate the mystery of God to the people." (Pastores dabo vobis, No. 51).
(c) Theological formation should thus provide "a complete and unified vision of the truths which God has revealed in Jesus Christ and of the Church's experience of faith." (Pastores dabo vobis, No. 54).

4) Regency

One year of regency outside the Seminary is strongly recommended for all seminarians. This regency may preferably be given after the philosophical studies. This regency period should be spent in the respective eparchies or another eparchy determined by the bishop under the special guidance of an experienced priest. He will thus learn to deal with different situations in life and it will help him to attain a greater degree of maturity and responsibility (CCEO c.353).

5) Pastoral formation (CCEO c.352)

(i) The final year of Seminary formation is devoted to the pastoral and liturgical formation and immediate preparation for ordination to priesthood.

(ii) As the whole purpose of Seminary formation has a fundamentally pastoral character this final year in the life of a seminarian is of great importance.

(iii) The study of pastoral theology should be carried out with certain pastoral services. Pastoral formation should combine scientific pastoral competence and practical skill. Both aspects should direct one to the inner source namely the ever deeper communion with the pastoral charity of Jesus which is the driving force of priestly ministry.

(iv) The seminary shall conduct courses in pastoral theology, catechetical and homiletic arts, liturgical celebrations, parish administration, social apostolate, social communication, psychology and counselling, pastoral sociology, evangelisation and dialogue and the like. Orientation on missionary activities also has to be imparted to the seminarians.
(v) Examinations shall be conducted for the above said courses and only those who have successfully completed shall be recommended for ordination.

**Art. XXIX Co-Curricular activities**

There shall be co-curricular activities as part of the Seminary formation such as cultural academies to train the students in the art of public speaking, social work in order to create in them concern for the poor, pastoral work for theology students to give them pastoral experience.

**CHAPTER VI**

**Art. XXX Relation between the St Thomas Apostolic Seminary and Paurastya Vidyapitham**

1) The *Paurastya Vidyapitham* is erected at the Seminary and it is necessary that there should be cooperation between the seminary and the Institute. Both are common institutions of the Syro-Malabar Church and are under the authority of the Major Archbishop, the Synod and the Synodal Commission.

2) As regards the personnel and the properties there must be distinction between that of the Institute and the Seminary.

3) The academic direction and governance of the Institute is to be distinct from that of the Seminary and is the competence of the President. However, all matters of discipline that affect the inmates of the Seminary shall be referred to the Rector of the Seminary who will take necessary action in consultation with the President and as per norms.

4) The calendar and programme of the Seminary regarding such requirements as ordinations and seasonal and occasional holidays, and the daily schedule of the Seminary should be taken into account when drawing up the academic calendar and time-table of the Institute and vice versa.
5) Spiritual, human, liturgical and pastoral formation of the inmates of the Seminary are within the competence of the Rector. The staff of the Institute who reside in the Seminary are to cooperate with the Rector in such matters and observe the directives of the Rector regarding the discipline and schedule of the Seminary.

6) Those who are appointed in the Seminary, if they are academically qualified, should be preferred for the appointment as teachers at the Institute, as per its rules.

7) Any activity of the Institute involving the inmates of the Seminary, outside the class schedule, requires the concurrence of the Rector.

8) The seminary shall provided board and lodging to the teaching staff and the post-graduate students of the Institute until the institute is able to provide for these needs on its own.

9) The seminary shall permit the use of its library by all the members of the staff and students of the Institute, including those who are not inmates of the Seminary.

10) In case of disputes between the authorities of the Seminary and those of the Institute the matter shall be brought to the attention of the Chairman of the Synodal Commission. His decision shall be final.

Chapter VII

Art. XXXI Amendment to the Statutes

The Major Archbishop of the Syro-Malabar Church with the Synod is the competent authority to make amendments to these statutes.

These statutes of the St. Thomas Apostolic Seminary are promulgated ad experimentum for a period of five years.

Given from the Major Archiepiscopal Curia on 1st January 1995.

✠ Archbishop Abraham Kattumana
Pontifical Delegate
The Palliyogam (Parish Assembly) of Syro-Malabar Church

(Procedure Rules—DRAFT)

[This draft, prepared by the Commission for Particular Law of the Syro Malabar Church, was studied and revised by the third meeting of the second Synod Bishops of the Syro Malabar Church held on November 7 - 23, 1994. Now the eparchial bishops are requested to collect suggestions on the matter from the members of Presbyterium/Presbyteral Council, Institutes of Consecrated Life, Pastoral Council and of similar bodies in the eparchies].

INTRODUCTION

Whereas the system of Yogams (Assemblies) is a laudable heritage of the Syro-Malabar Church by which she expresses in a tangible way the ecclesial communion of all Christian faithful in the exercise of the ministry of governance in the Church (cf.CCEO c.979);

Whereas the Yogams are to be constituted in the different levels of the Church sui iuris (cc. 140-145), of the eparchies (cc.235-242) and of the parish (c.295)'

And whereas, as per c. 295, a uniform particular law on the PALLIYOGAM (Parish Assembly) applicable to all parishes in the Syro-Malabar Church is required;

Now, the Synod of Bishops of the Syro-Malabar Church, in exercise of its legislative power, hereby make the following rules to regulate matters relating to the PALLIYOGAM (PARISH ASSEMBLY).
PART I
Preliminary

Section I
Title and Purpose

1. Title: These Rules may be called 'The Syro-Malabar Palliyogam (Parish Assembly), Procedure-Rules'.

1.1. These Rules apply to all parishes within the proper territory of the Syro-Malabar Major Archiepiscopal Church.

1.2. Purpose: PALLIYOGAM, as an expression of the communion of the people of God in the parish, is intended to advise and help the parish priest and to work in collaboration with him, in exercising the pastoral ministry including spiritual, educational, cultural and financial matters of the parish.

Section II
Definitions

2. In these Rules unless context otherwise requires:-

2.1. "EPARCHY" means a portion of the people of God which is entrusted for the pastoral care to a bishop with the co-operation of the presbyterium so that, adhering to its pastor and gathered by him in the Holy Spirit through the Gospel and the Eucharist, it constitutes a particular Church in which the one, holy, catholic and apostolic Church of Christ is truly present and operative (c. 177 §1).

2.2. "EPARCHIAL BISHOP" means a bishop, who, as the vicar and legate of Christ, governs in his own name the eparchy entrusted to him for shepherding, with legislative, judicial and executive powers as per CCEO and the particular law of the Syro-Malabar Church (c.178).

2.3. "PARISH" means a certain community of Christian Faithful, stably established in an eparchy, as a rule within a definite territory and
centred around a church, the pastoral care of which is entrusted to a parish priest (cf. cc. 279, 280).

2.4. “PARISH PRIEST” (Vicar) means a presbyter appointed by the eparchial bishop to whom the care of souls in a given parish is entrusted as to its own pastor; he is the foremost collaborator of the eparchial bishop in the parish under the authority of the same eparchial bishop (cf. cc. 281, 284).

2.5. “PAROCHIAL VICAR” (Assistant Vicar) means a presbyter appointed by the eparchial bishop to assist in the entire parochial ministry, under the authority of the parish priest and, if need should arise to substitute for the parish priest (cf. cc. 301, 302).

2.6. “MEMBERS OF A PARISH” means the Christian faithful belonging to the same eparchy having domicile or quasi-domicile within the territory of the parish (cf CCEO, cc. 912, 916) or those who have obtained membership through special orders by the eparchial bishop.

2.7. “FAMILY” means person or persons residing within the territory allotted to each parish and entered as a family in the Parish Register maintained in the parish.

2.8. “PARISH CHURCH AND CHURCH PROPERTY” means a church comprising of a building consecrated or blessed and exclusively dedicated for divine worship of the parish community (cf CCEO, c. 869) together with all movable and immovable properties belonging to the parish and other related institutions.

2.9. “KAIKARAN” means a person who is a member of the parish, elected by the POTHUYOGAM or PRATHINIDHIYOGAM and confirmed and appointed by the eparchial bishop or in special cases a person directly appointed by the bishop, to help the parish priest in keeping and administering parish properties and incomes for the parish according to the norms of law and in conducting the programmes and affairs of the parish.
2.10. "ACCOUNTANT" (KANAKKAN) means the person who helps in writing the accounts and other office works of the parish regularly with or without receiving an allowance or remuneration.

2.11. "SACRISTAN" (KAPIAR, DEVALAYASUSRUSHI) means the person who serves in the church assisting the sacred ministers at divine worship and other functions, with or without receiving an allowance or remuneration.

2.12. "PALLIYOGAM" (PARISH ASSEMBLY) in its two forms, namely General Assembly (Pothuyogam) and Representative Assembly (Prathinidhiyogam), means the body, constituted in the Syro-Malabar Church through tradition as an expression of the communion of the people of God in the parish, to advise and help the parish priest, the president thereof, and to work in collaboration with him, in exercising the pastoral ministry including spiritual, educational, cultural and financial matters of the parish.

2.12.1. "POTHUYOGAM" (GENERAL ASSEMBLY) means a body of all the heads of families in the parish and members of the Prathinidhiyogam and others mentioned in Part II Section II No. 7 (1-8).

2.12.2. "PRATHINIDHIYOGAM" (REPRESENTATIVE ASSEMBLY) means a body consisting of those elected by the Pothuyogam or by the heads of families in the ward/family unit meetings, and others duly elected or nominated or ex-officio as members and approved by the eparchial bishop.

2.13. "HEAD OF THE FAMILY" is that senior member of the family, male or female, who is responsible for the running of the family and who has attained 18 years of age.

2.14. "PARISH REGISTER" means the official register maintained in each parish church showing particulars relating to the members of the parish.

2.15. "JOURNAL" (Nalvazhy) means the book containing a record of each day's transactions entered date-war.
2.16. “LEDGER” (Peredu) means the book in which the itemwise entries based on the journal relating to income and expenditure are made based.

2.17. “THERATTU” means the statement of accounts showing the income and expenditure of the church.

2.17.1. “Masatherattu” means monthly statement of accounts

2.17.2. “Kurumtherattu” means quarterly statement of accounts

2.17.3. “Ardhavarshikatherattu” means half-yearly statement of accounts.

2.17.4. “Andutherattu or Varshikatherattu” means annual statement of accounts.

2.18 “BUDGET” means the official statement of the proposed programmes of the church showing the estimated income and expenditure for the ensuing financial year.

PART II

Structure, Rights and Obligations of Palliyogam

Section I

Palliyogam in General

3. There shall be two types of Palliyogam, namely, POTHUYOGAM (General Assembly) and PRATHINIDHIYOGAM (Representative Assembly).

4. The POTHUYOGAM and the PRATHINIDHIYOGAM have also the right to form special committees or commissions for specified purpose and as soon as the purpose for which they are constituted has been achieved such committees or commissions formed shall be dissolved.
Section I

The Pothuyogam of the Parish

5. MEMBERS: The following persons shall be the members of the POTHUYOGAM:

5.1. Parish Priest.

5.2. Parochial Vicar(s).

5.3. Resident priests serving in the institutions of the parish.

5.4. Priests from the parish present in the parish at the time of Yogam.

5.5. Superiors of the Houses of the Institutes of Consecrated/Apostolic life.

5.6. Heads of the families: Ordinarily only the head of the family shall represent the family in the Pothuyogam. However, if the head of the family is unable to attend such meeting he/she can nominate on a permanent basis another member of the same family who has attained the age of 18 years to attend such meeting on behalf of the head of the family. Any such nomination shall be communicated to the parish priest in advance. More details may be specified in the eparchial statutes.

5.7. Kaikars of the year.

5.8. Members of the Pratinidhiyogam.

6. Disqualifications and disputes

6.1. The following persons shall not be entitled to become a member of any of the yogam of the POTHUYOGAM:

6.1.1. Those who stand publicly against the fundamental beliefs and principles of the Church,

6.1.2. Those who are under ecclesiastical censure,

6.1.3. Public sinners,

6.1.4. Persons convicted of offenses involving moral turpitude until reformed,
6.1.5. Persons who have defaulted annual confession and paschal communion,

6.1.6. Persons who are of unsound mind.

6.2. The president of the Palliyogam shall decide whether a person has to be [admitted or] excluded from a meeting of the Pothuyogam in accordance with this statutes.

6.3. If any dispute arises as to whether a person is a member of the parish or whether he/she is entitled to exercise any right in a meeting of the Pothuyogam, the decision of the eparchial bishop shall be final.

**Rights and Obligations of the Pothuyogam**

7. The Pothuyogam has the following rights and obligations:

7.1. They should be convinced and try to convince the whole parish community that “without the apostolate of the laity the pastors work will not become fully effective” (AA 10) and “that the Church will not be truly established or fully live or become a perfect sign of Christ among men unless there is a laity working along with the hierarchy” (AG 21);

7.2. To prepare and launch a time bound pastoral plan with a comprehensive vision of promoting the spiritual, social, cultural, biblical, catechetical and liturgical renewal of the whole parish.

7.3. To promote active participation in the liturgy (AA 10; Christifideles laici = CL 33);

7.4. To teach catechism to the children, youth and adult and to motivate others to do so (AA 10; CL 33,34);

7.5. To proclaim the Gospel through word and witness (AA 13; CL 33);

7.6. To promote vocation to priesthood and institutes of consecrated / apostolic life;

7.7. To bring back to the Church those who have gone astray from faith (AA 10; CL 33);
7.8. To give leadership to the formation and functioning of the small Christian communities and family units (CL 26);

7.9. To take the initiative in forming and functioning of the lay organisations and see that the whole youth are enlisted in one or other of the organisation in the parish (AA 29; CL 30);

7.10. To animate the parish community to exercise their apostolate in the world through their life and witness like a leaven so as to invite others into the fellowship with God through Christ in the Spirit (AA 2).

7.11. To meet the challenges of Faith and the violation of the fundamental rights through conscientisation and action by organising the Christian community into a common forum (AA 18).

7.12. To promote the welfare of the Church and community by inspiring it by the gospel spirit of sharing the goods and services according to one's capacity.

8. Pothuyogam has the following rights:

8.1. To pass the annual accounts

8.2. To divide the parish into wards/family units

8.3. To decide, as per eparchial statutes, on numbers of Kaikars, auditors, church employees and the representatives from each ward/family unit and to elect them. However, the system of electing representatives from ward/family units may be followed as per eparchial statutes.

8.4. To discuss the budget of the parish and to allot priorities of items of expenditures.

8.5. To devise means of raising funds and to fix amounts of contribution by the parishioners for ordinary expenses and/or special projects.

8.6. To fix, if needed, a gradation of contribution on the occasion of marriage etc. according to the financial capacity of the families, subject to the directions in each eparchy.
8.7. To fix the rate of fees for the use of the church paraphernalia and also the rate of offerings for taking in procession devotional objects, subject to the directives of the eparchial bishop (cf. c. 1013).

8.8. To fix the rate of payment for graves and tombs and to fix the duration of their use, subject to the directives of the eparchial bishop.

8.9. To pass resolutions regarding constructions of church, chapels, and buildings for any of the parish institution and buying or selling of movable or immovable properties, subject to the provisions contained in no. 40.

8.10. To decide on the number of the solemn celebration of feasts in the parish and to prepare programmes for the same.

8.11. To deliberate upon matters of importance that affect the parish generally.

8.12. To establish special committees or commissions as and when needed and to elect members to the same.

Section III

Prathinidhiyogam

9. MEMBERS: The following persons shall be members of the PRATHINIDHIYOGAM:

9.1. Ex-officio Members

9.1.1. Parish Priest

9.1.2. Parochial Vicar(s)

9.1.3. Kaikars of the year

9.2. Elected Members

9.2.1. Elected representatives of the wards/units of families

9.2.2. One representative of the parish educational institutions who is a parishioner.
9.2.3. A representative of the Sunday School teachers

9.2.4. Representatives of the recognised parish associations as per the eparchial statutes.

9.2.5. Representative of the Institutes of Consecrated/Apostolic life in the parish: One from men and one from women.

9.3. **Nominated Members**

9.3.1. Experts nominated by the parish priest.

9.3.2. In parishes with ten or more Dalith Catholic families, they are to be represented by nomination, if not elected.

9.4. The total number of ex-officio and nominated members shall not exceed the total of the elected members.

10. **ELECTION**: The election to the PRATHINIDHIYOGAM shall be as follows:

10.1. The POTHUYOGAM or the ward meetings/units of families shall elect from every ward representatives in proportion to the number of families therein so that there shall be at least 10 and not more than 30 such representatives. At least 30% of them shall preferably be women. In exceptional cases the eparchial bishop can fix a lower or higher number.

10.2. The representatives of the men and women institutes of consecrated/apostolic life are elected at a meeting of the representatives of all the institutes of consecrated/apostolic life in the parish convened by the parish priest.

10.3. The parishioner representing the Catholic educational institutions in the parish is elected at a meeting of representative of all educational institution in the parish convened by the parish priest.

10.4. The teachers of the Sunday School shall elect their representative.

10.5. Members/representatives of parish associations elect their representative/s as per eparchial statutes.
10.6. As far as possible elections shall be unanimous and if not, by absolute majority of the members present.

10.7. Complaint if any, about the elections shall be submitted to Protopresbyter or the reconciliatory body, if any, permanently set up in the eparchy; if no solution is reached, the matter shall be submitted to the eparchial bishop and his decision shall be final.

11. Members of the PRATHINIDHIYOGAM shall not have any of the disqualifications mentioned in art. no. 6.

12. The Kanakkan and Kapiar can attend the meeting of the PRATHINIDHIYOGAM if so required to explain the accounts of the parish and to make a report of the meeting and other such matters; however, they shall not be members of PRATHINIDHIYOGAM.

13. The term of office of the representatives to the PRATHINIDHIYOGAM shall be three years.

14. Any member absenting himself from three consecutive meetings without sufficient reason and excuse shall lose his/her membership in the PRATHINIDHIYOGAM.

15. If a member suffers from any of the disqualifications mentioned in art. no. 6, but revealed after becoming a member, or incurred a disqualification during the term of membership, the matter must be brought to the attention of the PRATHINIDHIYOGAM and appropriate action including removal of membership may be taken. If removed, the matter must be reported to the eparchial bishop for his approval.

16. Vacancies arising in the PRATHINIDHIYOGAM, may be filled in by election or nomination or ex-officio according to the nature of the vacant seat.

17. RIGHTS AND OBLIGATIONS OF THE PRATHINIDHIYOGAM:

17.1. To give leadership and play active role to promote spiritual, social, cultural, pastoral, catechetical and youth activities in the parish;

17.2. To pass the quarterly or monthly accounts;
17.3. To prepare annual accounts and budget and submit the same to the POTHUYOGAM;

17.4. To decide the programmes of feasts other than the major feast (Thirunal) and to help in conducting all such feasts

17.5. To give guidelines on the general policies of administering the properties of the parish;

17.6. To elect members to the committees (commissions) constituted when needed and to dissolve it;

17.7. To do other duties specified in the eparchial statutes or by the eparchial bishop from time to time.

PART III

The Procedure of conducting the meetings of the Pothuyogam and the Prathinidhiyogam:

18. Ordinarily the parish priest or the priest deputed by the parish priest shall announce on two Sundays during the Holy Mass at the parish church about the meeting (yogam) and its main agenda. However, if after consulting with the Kaikar, it is considered that the announcement of any particular item in the agenda may be prejudicial to the best interest of the parish, that item need not be mentioned while making such announcement.

18.1. In extra-ordinary situation only one announcement on a Sunday will suffice. In urgent matters where a Sunday announcement is impossible, the yogam may be conducted on any day by circulating notice through appropriate means by the parish priest.

18.2. If one third of the members of the POTHUYOGAM or the PRATHINIDHIYOGAM by notice request convening of the respective yogams the parish priest thereupon shall convene such meeting two weeks from the date of receipt of such notice. If the parish priest is convinced that the conduct of such yogam is prejudicial to the good of
the parish, he shall report the matter to the Bishop and abide by his
directives.

19. The eparchial bishop may at any time direct the convening or
prohibiting of a meeting of the respective yogams.

20. The POTHUYOGAM shall meet at least once a year; the
PRATHINIDHIYOGAM at least four times a year.

21. The POTHUYOGAM has no definite quorum. The quorum for the
PRATHINIDHIYOGAM shall be one fourth of the total number of
members, but quorum is not necessary when a yogam adjourned for lack
of quorum is reconvened.

22. An attendance register shall be kept for all the meetings and the
members present shall sign in it.

23. The parish priest is the president of the POTHUYOGAM as well as
of the PRATHINIDHIYOGAM.

23.1. In the absence of the parish priest, with his permission the
parochial vicar, can be the president of the meetings.

23.2. The eparchial bishop personally or his delegate has the right to
preside over the meetings.

24. There shall be a definite agenda for the yogams. Matters outside the
agenda can also be discussed with the permission of the president.

25. Yogams shall commence and end with a prayer.

26. All members shall participate in the yogam with a spirit of co-
operation and service based on love for the glory of God and the real
progress of the parish.

27. Personal vendetta, party spirit, family feud, political difference and
such other matters shall in no way influence the deliberations of the
yogams.
28. A discussion on a decision of a previous yogam already approved by the eparchial bishop shall be made only after obtaining the prior permission of the eparchial bishop.

29. Statement or decision against the orders and directives of the eparchial bishop, or against the official teaching and canon law of the Church is not permissible in the yogams.

30. All shall maintain decorum and discipline in the yogam and shall obey the rulings of the president.

31. The president shall immediately correct any member in case of any improper statements or misbehaviour.

32. As far as possible decisions in the POTHUYOGAM and the PRATHINIDHIYOGAM should be unanimous or at least by consensus. Serious differences of opinions in the PRATHINIDHIYOGAM may be referred to the POTHUYOGAM. If the POTHUYOGAM fails to make a decision it may appoint a committee to study the case in detail and recommend means to resolve the problem. If no solution is reached the matter shall be referred to the eparchial bishop for decision.

33. If the decision at the yogams is unacceptable to the president of the yogam he can write his note of dissent, and he shall refer it to the eparchial bishop.

33.1. Members of the YOGAM having complaints against a resolution passed at its meeting may have recourse to the eparchial bishop within six days.

34. All decisions by the PRATHINIDHIYOGAM within its competence shall have the same force as the decisions of the POTHUYOGAM.

35. The resolutions of the yogams must be recorded in the book of resolutions (yoga pusthakam) and be signed by the president and members present.

35.1. A minutes book of the yogams shall be maintained in which shall be recorded the proceedings of the meetings and signed by the president of the meeting.
36. To leave the meetings of the yogams without permission of the president and/or without signing the resolution is irregular.

37. If and when a meeting of the yogam cannot proceed peacefully, the president may dissolve it in which case such meeting may be reconvened within a month and if it cannot be conducted peacefully in such re-convened meeting the president shall dissolve the meeting and report the matter to the eparchial bishop.

38. The eparchial bishop has the right to add or modify or annul a resolution passed at the meetings of the POTHUYOGAM and the PRATHINIDHIYOGAM and his decision shall be final.

39. Resolutions passed in meetings on matters requiring the approval by the eparchial bishop shall have effect and be executed only after such approval is granted in writing by the eparchial bishop.

40. Matters that require the approval of the eparchial bishop are: (cf CCEO, cc. 1022, 1035, 1036, 1045, 1046, 1024, 1014 and 1015)

40.1. Buying, selling, gifting or otherwise disposing of the immovable properties

40.2. Constructing, reconstructing, renovating of churches, filial churches, wayside chapels and crosses or other buildings.

40.3. Establishing institutions to be run by the parish.

40.4. Demolishing of old churches, filial churches, wayside chapel or crosses.

40.5. Exchange, sale or gifting of objects of antiquity (Antiques for no reason shall be destroyed).

40.6. Establishing of public library, recreation centres, public wells and the like on lands belonging to the parish.

40.7. Leasing of or construction on and/or use of the land of the church for any public or private utilities.
40.8. Receiving of stipend for pious foundation or endowments and scholarships.

40.9. Works which will cost more than one fourth of the annual income of the previous year of the parish or Rs. 25,000/- whichever is less or as the eparchial bishop decides from time to time.

40.10. Fixing of subscriptions from parishioners with obligation to pay arrears

40.11. Lending or borrowing money by the parish.

40.12. Other matters determined in the eparchial statutes.

PART IV
SECTION I

On Kaikars

41. The POTHUYOGAM shall determine the number of the Kaikars according to the size of the parish subject to a minimum of two, and shall elect them.

42. The Kaikars shall be persons who are faithful, efficient, service minded and having no arrears in parish subscriptions and who have the other qualifications specified in the eparchial statutes; they shall not have the disqualifications mentioned in art. 6. The Kanakkan and the Kapiar shall not be elected as Kaikars.

43. The Kaikars are elected for a one year term and can be re-elected for a second term; but not for a third consecutive term unless as postulation to the eparchial bishop.

44. The elected Kaikars after being confirmed and appointed in office by the eparchial bishop, shall take charge receiving the keys from the parish priest at the sanctuary steps after making an oath of office. When their term of office is over they shall entrust the keys and accounts to the parish priest likewise at the steps of the sanctuary, after settling the account. Failure to do so is wrong and punishable.
45. The Kaikars may divide the year into equal periods according to their number and each shall assume the main charge of the office in one of such periods according to age or convenience.

46. The parish priest may depute a Kaikar to represent the parish in specific cases of legal or similar nature.

47. The Kaikars do not receive remuneration or allowance. However, on days on which their presence is required for a long time they may make arrangements for their meals at the expense of the parish.

48. It is the right of the eparchial bishop to accept the resignation of a Kaikar or to remove a Kaikar for reasons of negligence of duty, disability, or, if his continuance as Kaikar is prejudicial to the interest of the parish in the judgement of the bishop.

SECTION II

Financial Administration of the Parish

49. The financial administration of the parish is to be done by the parish priest and the Kaikars with mutual understanding and co-operation and as per norms of common and particular law, as well as eparchial statutes.

50. The Kaikar-in-charge (Nadathukaikaran) and the parish priest should maintain vouchers and receipts regarding income and expenditure relating to the respective matters dealt with by them. The accounts of the parish shall be maintained on the basis of such vouchers and receipts. The Kaikars shall produce the accounts at any time when called upon by the parish priest.

51. It shall be the responsibility of the parish priest and the Kaikars to maintain all the journals, ledgers, monthly or quarterly, as well as the annual accounts of the parish.

52. If discrepancies in the account or shortage of money is noticed resulting in loss to the parish the same shall be recovered from the...
respective Kaikar or the parish priest whoever is responsible for the loss. However, as between them one shall not be responsible for the laches on the part of the other.

53. The chest (Bhandaram) and boxes containing the offerings shall be opened and the offerings counted by the Kaikar in the presence of the parish priest or the co-Kaikar.

54. All things offered including the usufruct as well as animals shall be sold in public auction. However, if it is found that sale without auction is more appropriate that can be done after mutual consultation between the parish priest and the Kaikars.

55. All sales shall be made only on payment and receipt of all such cash shall be entered on the same day in the books of accounts of the parish. If any credit is given it shall be the responsibility of the persons giving such credit to reimburse the amount to the parish.

56. If and when lands or buildings belonging to the parish are given on lease, it shall be done only after observing all legal formalities and preferably after obtaining legal opinion and after obtaining the permission of the eparchial bishop.

57. The cultivation on lands belonging to the parish shall be got done by the Kaikars in consultation with the parish priest.

58. The parish priest and the Kaikars shall have the right to expend necessary amounts to meet the day-to-day expenditure of the parish.

59. Subject to art. no. 40.9 the expenditure necessary for all paraphernalia and for maintaining the same, the expenditure for Sunday School, essential furniture of the parish including those provided to the parish priest and the parochial vicar(s) and also the expenditure for the day-to-day worship and for the maintenance of the church property and the improvements can all be incurred by the parish priest without discussion in the POTHUYOGAM or the PRATHINIDHIYOGAM. However, the parish priest and the Kaikars shall have mutual understanding and co-operation in respect of all such expenditure and all unnecessary luxury and extravagance shall be avoided.
60. The parish priest and the Kaikars can jointly keep the cash required for a period of one month for day to day expenses. However, surplus amounts shall be deposited in scheduled, nationalised or reputed co-operative bank or in permitted securities in the joint account of the parish priest and the Kaikar.

61. All valuable articles and antiques, documents and receipts shall be kept in a separate box in safe room with double locks and keys and the parish priest and the Kaikar shall keep one key each of the box as well as of the room.

62. There shall be an inventory (c. 1026) of all the movable and immovable properties of the parish classified into five heads, namely:

62.1. A schedule of immovable properties
62.2. Those which are in the custody of the parish priest
62.3. Those in the custody of the Kaikar
62.4. Those in the custody of the Kapiar
62.5. Those in the custody of the heads of the institutions.

63. The parish priests and kaikars shall have overall responsibility for all the properties of the church and in particular for the equipments in the presbytery (Pallimuri). The Kapiar shall be responsible for the paraphernalia and other valuable things kept in the church and the heads of the institutions for the articles belonging to and kept in such institutions.

64. Whenever new articles are bought and any change is needed, the same shall also be entered in the inventory maintained in the parish.

64.1. A copy of the inventory of the ecclesiastical goods is to be kept in the eparchial archives (c.1026).

64.2. If any article is lost or damaged on account of negligence, the person responsible for such negligence shall be liable for such loss.

64.3. Unusable articles shall be destroyed only with the consent of the parish priest and after having cancelled them from the inventory.
65. When any of the persons with whom church properties are entrusted is transferred or ceased to hold office the same shall be entrusted to the new incumbent who shall while taking charge sign on the list of articles handed over to him.

65.1. When the parish priest is transferred, the accounts, pass-books and other documents as well as the balance cash and the list of movables shall be handed over to the Nadathukaikaran; as soon as the new parish priest has taken charge the said Kaikar shall hand over them to the new parish priest. However, if there is a parochial vicar the parish priest who is under orders of transfer shall entrust all the administrative responsibility to the parochial vicar and inform the kaikars accordingly. If any other custom or procedure is in vogue in any eparchy, the same may be followed.

66. The parish priest shall always bestow his attention to properly and safely maintain the accounts and records of the parish and in those matters the Kaikar and the Kanakkkan are bound to act according to the instructions of the parish priest.

67. No church record shall be taken outside the parish office without the permission of the parish priest.

68. All parish churches shall maintain registers, records, books and files mentioned in the APPENDIX.

69. No record and orders relating to the parish or the eparchy shall be produced in the court without prior permission of the eparchial curia.

SECTION IV

General and Transitory Norms

70. For grave reasons the eparchial bishop can suspend a POTHUYOGAM or a PRATHINIDHIYOGAM until further orders from him and make alternate arrangements according to his discretion for the administration of the parish.
71. The eparchial bishop, depending upon the requirement, special features, custom or practice of his eparchy may make necessary adaptations to these Rules and the Rules so adapted shall be binding on the parishes within the eparchy.

72. If any difficulty or doubt arises in giving effect to the provisions of these Rules in a particular eparchy, the eparchial bishop may by order make such provision, not inconsistent with the purpose of these Rules, necessary or expedient for the removal of the difficulty or doubt.

73. These Statutes may be amended by the Synod of Bishops of the Syro Malabar Church by an absolute majority of the members present and voting in a valid session.

74. Until the forthcoming synod, the authentic interpretation of these Rules is the competence of the Major Archbishop having consulted with the permanent synod (cf. c. 112 § 2)

75. If there is any custom or practice in any particular parish inconsistent with the Rules contained herein all such custom and practice will stand superseded as soon as these Rules come into force.

APPENDIX

Church Records, Registers Etc.

(1) Baptism register
(2) Confirmation register
(3) Betrothal register
(4) Marriage register
(5) Death register
(6) Almasthithi Register/ Parish Register
(7) Minutes book of POTHUYOGAM and the PRATHINIDHIYOGAM
(8) Yogapusthakam (Register for decisions of yogam)
(9) Subscription register (variveetha register)
(10) Kurippu/account book
(11) Journal
(12) Ledger
(13) Thirattu
(14) Audit report
(15) Voucher file
(16) Canonical visit diary of the eparchial bishop
(17) Bounded copies of the diocesan bulletin
(18) Liturgical calendar
(19) Register relating to documents and records
(20) Book to copy the civil documents
(21) File containing pastoral letters and circular
(22) File containing orders from the eparchial curia
(23) A schedule containing the details of immovable properties
(24) List of movable properties
(25) List of foundation Mass (This should be maintained in the sacristy also)
(26) Diary (Chronicles, "Nalagamam")
(27) List of antiques
(28) Vocation register
(29) Books of announcement
(30) Book of ecclesiastical censures
(31) Miscellaneous file
(32) Other registers as per diocesan statutes
Statutes of the Major Archiepiscopal Assembly
(Draft)

Preamble

The Major Archiepiscopal Assembly of the Syro-Malabar Church is the gathering together of a representative cross-section of the same Church, integrating the spirit and dynamism of the ancient ecclesial institution of the Thomas Christians called yogam. In it is restored and updated that organ in fidelity to the teachings of the Church and in obedience to the legislation given by the Roman Pontiff to the Eastern Catholic Churches (Code of Canons of the Eastern Churches, canons 140-145), so that it is made to correspond to the changed historical situation and the new hierarchical status of the Syro-Malabar Church.

United in the spirit of prayer and reflection, and proclaiming and celebrating the great things God has done to the Church and through the Church, this Assembly strives to realize the high ideal of the Apostolic Church of one heart and one soul in fidelity to its own apostolic origins. Through mutual sharing of ideas, experiences and spiritual gifts (1 Cor 12: 4, 28; Eph 4:11) it seeks closer ecclesial integration and collaboration among the various members and organs of the Church for the building up of the Body of Christ to its fullness (Eph 4:12, 13). Conscious of the Church’s mission to announce the gospel and to promote unity in the pluralistic religious and ecclesial context of India as well as the larger worldwide diaspora, it pursues better understanding of and cooperation with the other Churches both within and without the Catholic communion, while promoting dialogue -- inter-religious, inter-ecclesial, and inner-ecclesial. So that the kingdom of God may ever more potently leaven the mass of humanity, it reviews the various areas of the Church’s apostolate and service to the world and explores more efficacious ways.

Thus, in the confession of the Lordship of Jesus Christ, the Major Archiepiscopal Assembly strives after the renewal of the Church and
closer fellowship with one another (1 John 1:3) for a growth that is from God (Col 2:19) by pursuing a deeper communion with the One who is the adorable Trinity, the Father, the Son, and the Holy Spirit.

Article 1

**Nature and Scope**

§1. As a representative organ of the Syro-Malabar Church, the Major Archiepiscopal Assembly is its consultative body to deal with matters of major importance for the Church and its mission in the pluralistic context of India with its several Churches and religions. It proposes in particular to help the Major Archbishop and the Synod of Bishops of the Syro-Malabar Church to suit the various kinds of apostolate and their methods as well as ecclesiastical discipline to the current and ever changing context and to the common good of the Syro-Malabar Church taking into account also the common good of the country as well as of the universal Church (CCEO c. 140).

§2. The Major Archiepiscopal Assembly acts always in communion with and submission to the Synod of Bishops of the Syro-Malabar Church and the Major Archbishop, the father and head of the same Church.

Article 2

**Name and Designation**

What is called in these Statutes the Major Archiepiscopal Assembly of the Syro-Malabar Church may be designated simply the Assembly.

Article 3

**Status and Function**

§1. The Major Archiepiscopal Assembly is an organ of ecclesial consultation so that decisions genuinely responding to the sense of the
faithful and fully enlightened by the Holy Spirit, who animates the Church, may be taken by the competent authorities.

§2. All the components of this Assembly have the function of helping to further the good of the whole Church, which is a body having various organs and members that are inter-dependent.

§3. The competencies of the Assembly are those prescribed by law, both common and particular, and are specified and articulated in these Statutes.

Article 4

Convocation

§1. The Major Archiepiscopal Assembly is convoked by the Major Archbishop every five years (c. 141). Such an Assembly may be called an ordinary assembly.

§2. An extraordinary assembly may be convoked by the Major Archbishop whenever he deems it necessary or useful with the consent of the Permanent Synod or that of the Synod of Bishops of the Syro-Malabar Church (c. 141).

§3. An ordinary Assembly is convoked at least six months in advance of its inaugural session; an extraordinary Assembly may be convoked with a shorter notice.

Article 5

The President

§1. The Major Archbishop is the ex-officio president of the Assembly.

§2. In case the Major Archbishop is absent or impeded, a vice-president nominated by him substitutes him as president (c. 142 §1).

§3. The president of the Assembly chairs the general sessions of the Assembly either personally or through another designated by him.

§4. The president of the Assembly is competent to transfer, prorogue, suspend or dissolve the Assembly (c. 142 §1).
§5. If the major archiepiscopal see becomes vacant, the Assembly is suspended *ipso jure* until the new Major Archbishop takes a decision on the matter (c. 142 §2).

Article 6

Participants

§1. The following persons are to be convoked to the Major Archiepiscopal Assembly to participate in it ex officio:

1° episcopal bishops and other local hierarchs from both within and outside the territorial boundaries of the Syro-Malabar Church, including exarchs and apostolic administrators (if any), as well as protosyncelli and syncelli (cf. 984 §2);

2° titular bishops, including coadjutor bishops, auxiliary bishops and retired episcopal bishops;

3° superiors general of institutes of consecrated life, including religious orders and congregations, societies of common life in the manner of religious, secular institutes and societies of apostolic life;

4° superiors of monasteries *sui iuris* and presidents of monastic confederations (if any);

5° rectors of ecclesiastical universities and deans of faculties of theology and of canon law, which are located within the territorial boundaries of the Syro-Malabar Church, if they are Syro Malabarians;

6° rectors of Syro Malabar major seminaries, and those of the inter-ritual seminaries within the territory of the Church if they are Syro-Malabarians.

§2. The following persons are convoked to the Assembly as delegates sent by each of the eparchies whether inside or outside the territorial boundaries of the Syro-Malabar Church:
1° one presbyter from each eparchy; if there are more than 100
presbyters ascribed to the same eparchy that eparchy can send one
more presbyter-delegate each for every additional 100 presbyters
or the fraction thereof. The maximum number of presbyter
delegates from an eparchy shall be five; at least two-third of them
shall be parish priests.

2° One delegate of the institutes of consecrated life;
If there are more than 500 professed members of the institutes of
consecrated life in the eparchy, that eparchy can send one more
delegate each for every additional 500 members or the fraction
thereof. The maximum number of such delegates from an eparchy
shall be three. In sending these delegates, care should be taken
that there are proportionate representation of the institutes of
priests, brothers and sisters.

3° three lay persons from each eparchy; if there are more than
100000 faithful in an eparchy, that eparchy can send two more
delegates each for every additional 100000 faithful or the fraction
thereof. The maximum number of lay delegates from an eparchy
shall be ten; at least one-third of them shall be women.

§3. The eparchial bishop is responsible for the participation of the
delegates from his eparchy in the Major Archiepiscopal Assembly.
Hence,

1° it is for the eparchial bishop to convene within two months after
the convocation of the Major Archiepiscopal Assembly the
assemblies of election mentioned in §4 at a place and time
determined by him;

2° it is for him to preside over the same assemblies of election either
in person or through another;

3° he is to forward to the Major Archbishop the names and addresses
of the delegates from his eparchy as well as of their substitutes at
least two months in advance of the inaugural session of the
Assembly.
§4. In order to ensure the necessary uniformity and avoid a disconcerting diversity in designating the delegates from the eparchies, the following norms are to be followed:

1° the presbyter delegate/s from each eparchy are elected by the presbyteral council of the eparchy;

2° the delegates from the institutes of consecrated life are elected by the representatives of the institutes at a meeting convoked for the purpose by the eparchial bishop (cf. c. 143 §1);

3° the lay delegates are elected by the lay representatives of the eparchial pastoral council at a meeting of the pastoral council convoked by the eparchial bishop.

§5. As many substitutes of the delegates mentioned in §4 nn 1°-3° are also to be chosen in the same manner to replace the latter in case these are impeded from attending the Assembly.

§6. Eparchial bishop, if impeded, may send a proxy designated by himself (cf. c. 143 §2).

§7. The delegates and their substitutes are chosen at least three months in advance of the inaugural session of the Assembly.

§8. All who have been convoked to the Major Archiepiscopal Assembly must attend it unless they are detained by a just impediment, of which they must inform their substitutes and the eparchial bishop at the earliest. The eparchial bishop informs the Major Archbishop of the substitution as early as possible.

§9. What is said in these Statutes concerning eparchies or eparchial bishops applies also to exarchies or exarchs (c. 313), if any, though with the consent of the Major Archbishop exarchies as well as small eparchies may send a smaller number of delegates.
Article 7

Guests and Observers

§1. Persons of another Church *sui iuris* may be invited to the Major Archiepiscopal Assembly by the Major Archbishop as guests to foster mutual ecclesial understanding and to promote pastoral cooperation (c. 143 §3). Rectors of inter-ritual seminaries and inter-ritual universities and deans of faculties of theology and canon law within the territory of the Church and who belong to other Churches *sui iuris* may be specially invited.

§2. The Major Archbishop can invite some observers from other Churches or non-Catholic ecclesial communities to foster and promote ecumenical understanding and cooperation (c. 143 §4).

§3 Guests and observers will have no right to vote in the assembly.

Article 8

The Agenda

§1. All the Christian faithful of the Syro-Malabar Church may propose topics to be placed on the agenda of the Assembly through those convoked as ex-officio participants or as delegates or through the secretariat of the Assembly.

§2. The topics to be placed on the agenda are determined by the Major Archbishop in consultation with the members of the Permanent Synod, unless the selection has already been made by the Synod of Bishops of the Syro-Malabar Church.

Article 9

Experts, Resource Persons and Commissions

§1. It is for the Major Archbishop to see to it that through the services of suitable preparatory commissions and consultations, all the topics of the agenda are properly researched and studied and that the participants
of the Assembly are informed in good time either directly or through suitable organs of publication sent to them (c. 144 §3).

§2. From a list of names discussed with the members of the Permanent Synod the Major Archbishop may appoint some experts and resource persons to facilitate the conduct of the Assembly, its secretariat and its various commissions.

§3. The Major Archbishop establishes the commissions for various matters (such as liturgy, evangelization, inculturation, education, communications and mass media, ecumenism, catechesis, caritative services, human and christian rights in the Church, family and social apostolates, other apostolates), taking into consideration the proposals and in view of the agenda that has been determined.

Article 10

The Procedure

§1. Though the Major Archiepiscopal Assembly is not a parliament or legislature of the Syro-Malabar Church, it is a forum for discussion and the expression of views and desires in the spirit of Christian freedom and responsibility. It is for the pastors of the Church to discern them and to translate them into pastoral action.

§2. If a vote is taken to ascertain the mind of the Assembly on a given issue, the bishops are excluded from the voting.

3. A resolution approved by the Assembly can acquire the force of law if it is ratified by the competent ecclesiastical authority (cc. 82, 150 §§ 2 and 3).
Article 11

The Acts of the Assembly

The matters publicly discussed and the resolutions taken in the Assembly may be freely reported and made known to Christ’s faithful even through the media of social communication; but the publication of the official acts of the Assembly is reserved to the Major Archbishop (c. 666 §2).

Article 12

Approbation and Amendment of the Statutes

§1. The Statutes of the Major Archiepiscopal Assembly need to be approved by the Synod of Bishops of the Syro-Malabar Church (c. 145).

§2. Promulgated by the Major Archbishop, the Statutes constitute the particular law of the same Church (c. 110 §1).

§3. To amend the Statutes two-third majority of the members of the same synod present at a session and voting is required, unless the proposal for the amendment has been approved already by a two-thirds majority of the Major Archiepiscopal Assembly, in which case an absolute majority of the votes of the members of the same synod present at a session and voting is sufficient.
An Appropriate Name for the Syro-Malabar Church

The Church founded by Apostle Thomas in India was during the course of centuries known by various names such as The Thomas Christians, Nazrani Christians, Mar Thoma Nazrani Christians, St. Thomas Christians of India, meaning the Church of Thomas Christians.

Since they were using the Aramaic or Syriac language in the liturgy they were also called Syrian Christians as opposed to Latin Christians.

The Church in Persia and Mesopotamia with which the Church in India was closely related was known as the Church of the East (outside the Roman empire), the Mesopotamian Church, Assyrian Church, East Syrian Church (in opposition to West Syrian or Antiochene Church).

The East Syrian Church, perhaps technically, became Nestorian and came to be called Nestorian Church. Sometimes Catholic faithful in Persia were called Nestorian, the term not signifying a heresy but a nation.

The term Chaldean

In the 16th century (1554) a section of the Persian Church, under the monk Sulaka, was received into closer relation (was reunited) with Rome and Sulaka was made a Patriarch by Rome. In order to distinguish this section from the other it was called the Chaldean Church. Later the term was applied to all those Catholics using the East Syrian liturgy or Chaldaic Syriac. Thus the St. Thomas Christians came to be called the Chaldean Catholics or Chaldean Church of India.

1 In the first Synod there was a proposal to adopt a new name of the Syro-Malabar Church. The name “Church of St Thomas Christians” was proposed by the Synodal Fathers. However, taking into consideration the implications of such a change the decision was reconsidered and it was decided to discuss the matter in the episcopal level first. This text was prepared in the last Synodal assembly as a guideline for discussion. Interested readers also may send their proposal to the Major Archbishop Curia at Ernakulam - Editors.
Syro Malabar

The name Syro-Malabar came into vogue in the second half of the 18th century. Following the Synod of Diamper (1599) the Church of the Thomas Christians, which was an All India Church, was restricted to the Malabar area and eventually this gave rise to the term Syro-Malabar.

Need to Change the name

The name Syro-Malabr is disadvantageous, for (1) It gives the impression that the Church of Thomas Christians was always confined to Malabar; (2) Presently Malabar refers only to the Northern Districts of Kerala; (3) In North Indian Missions the name suggests that the so-called Syro-Malabar Church has no relevance outside Malabar and so it is a hindrance for evangelization.

What the Name should imply

Any new name or old name restored, must imply three ideas:

a) That the Church is of Apostolic origin traced to St. Thomas;

b) That it is not and was not confined to Malabar or Kerala;

c) That it has a universal dimension.
Preamble*

The Church of St. Thomas Christians is an Apostolic Church founded in India by St. Thomas, one of the twelve Apostles of Christ. Based on ancient, strong and continuous tradition, St. Thomas landed at Kodungalloor (Muziris). After preaching and establishing Christian communities in different parts of India, he suffered martyrdom at Mylapore. From early centuries the Church of St. Thomas Christians came into life-relation with the Christian communities which came to be known as the East Syrian Church. This relationship made the Thomas Christians share the liturgical, spiritual and other ecclesiastical traditions with the East Syrian Church. At the same time the Christians of St. Thomas kept their distinctive character especially in Church administration and socio-cultural and ascetic-spiritual life.

The head of the Church of St. Thomas Christians assumed the title 'the Metropolitan of All India'. A St. Thomas Christian priest with the title 'Archdeacon of All India' played the role of the effective leader of the community (Jathiyyukarthavyan). The Archdeacon carried out the administration through general and local assemblies (Palliyyogam). Their socio-cultural life was fully Indian and in their life of worship they adopted certain elements of this life. Their ascetico-spiritual life reflected Indo-oriental tradition. The sum total of this life was called the Law of St. Thomas (Mar Thoma Margam).

In the 16th century the Portuguese encountered with the Law of Thomas. In the beginning the encounter was cordial but, it developed into a confrontation because the missionaries in general failed to accept a Christian life different from theirs. Hence, they launched a policy of systematically making to conform the St. Thomas Christians to the

* After long discussion and mature reflection the Synod ordered that this text is to be printed as Preamble to the Code of Particular Law of the Syro-Malabar Church even when the Code is published partially.
western form of Christian life. They attempted to execute this policy through the decrees of the Udayamperoor (Diamper) Synod (1599). Subsequently, in 1600, the Church was brought under the Latin Padroado rule. The St. Thomas Christians were least prepared internally to accept these changes and their reaction erupted in a revolt (Koonan Cross Oath, 1653) against Padroado rule. This resulted in the division among the St. Thomas Christians. At this stage the Holy See intervened and introduced also its direct rule though the Congregation for the Propagation of Faith, Propaganda. Although this was conceived as a provisional arrangement it lasted over two centuries. As the policy established by the western missionaries in the 16th century continued under the rival regimes, Padroado and Propaganda, the St. Thomas Christians gradually intensified their resistance. This situation impeded also the attempts at reunion of all the Thomas Christians made by such eminent personalities as Mar Joseph Kariattil and Thomas Paremakal. Despite conflicts and tensions, the St. Thomas Christian Community also profited in theology, spirituality and discipline from their encounter with the Western Church.

The struggle of the St. Thomas Christians for self-rule entered a definitive stage towards the end of the 19th century. By this time a part of the St. Thomas Christians were no more in communion with Rome; those in communion with Rome found themselves under the Padroado and Propaganda rules. At the same time the attempts of the St. Thomas Christians to have a bishop who could celebrate according to their traditions, made them to recourse to the Chaldean Patriarch whose intervention resulted in further schism among the St. Thomas Christians. In 1886, with the institution of the Indian Latin Hierarchy all the St. Thomas Christians came under the Latin Vicar Apostolic of Verapoly and the title 'Metropolitan of Cranganore' was given ad honorem to the bishop of Damao. Later, when the See of Damao joined to that of Goa the Goan Archbishop began to carry the title of Cranganore also. In 1887, as the struggle for self-rule continued, the St. Thomas Christians who were deprived of their ancient Metropolitan See together with its all-India jurisdiction, were reorganised under two
vicariates, Kottayam and Trichur. In 1896, when the St. Thomas Christians obtained bishops of their own rite and nation, they were further reorganised into three vicariates, Trichur, Ernakulam and Changanacherry. On December 21, 1923, a hierarch, on the Latin ecclesiastical polity was instituted for them. Ernakulam was raised to metropolitan status and eparchies of Trichur, Changanacherry and Kottayam (1911) were made its suffragans. In 1956, the number of eparchies for the St. Thomas Christians had increased to seven. The name of the church by usage in the official documents was changed to Syro-Malabar Church.

The Syro-Malabar Church thus found in a canonically anomalous situation of having two metropolitans and without a common head. Besides, the 9 dioceses outside these provinces, which were erected from the year 1962 onwards, were not suffragans of any of these two. As the CCEO was promulgated in 1990 it became imperative to rectify this anomaly. Thus on December 16, 1992, Pope John Paul II raised the Syro-Malabar Church to the status of Major Archiepiscopal sui juris Church with the title of Ernakulam-Angamaly. Mar Antony Padiyara, the Metropolitan of Ernakulam was made its Major Archbishop. The proper territory of the Major Archbishop was determined to be the two provinces of Ernakulam and Changanacherry.

Part II

The sources of the present code of Particular law of the Church of the St. Thomas Christians (Syro-Malabar Church) are many and varied. They have become complex owing to the different jurisdictions over the Thomas Christians during their Indian, Chaldean, Latin and Syro-Malabar periods.

The first Indian Christian community which responded to the call of the Apostle in its particular socio-cultural environment, received the identity of an Apostolic and Indian Church. Here we find the first stage. Its particular law which originated in the response of the first Christians to the teaching of Thomas, came to be known as 'The Law of Thomas'. We may suppose that such a law consisted of the legacy which the
Apostle Thomas left to this Church. The customs and traditions which grew as a response of the local people to this teaching, the rites and rubrics in the administration of sacraments, the christianised laws of the existing society and culture etc. went to its making. The copper plate grants, ancient literature, cultural and art forms, etc. are indicative of the ancient laws and customs of the people. The *Yogam*, in its triadic forms—*Pothuyogam, Desiyayogam* and *Edavakayogam*—was the system of administration.

During the Chaldean period, the Thomas Christians shared some of the East Syrian rules and regulations, as it is supposed that the Chaldean prelates also brought with them some of the East Syrian law-codes.

During the Latin period, after the XVI century, many Western church laws were imposed on the Thomas Christians. The Synods of Angamaly (1583 & 1603), the Synod of Diamper which was invalidly held (1599), the Statutes of Ros (1606), and the Statutes of Mellano (1879) were the most important canonical sources of the period. From the writings of the missionaries, the decisions of the Synods and other works, the system and practice of the law of Thomas during the period in question could be understood.

A list of canonical enactments were made during the Syro-Malabar period starting from 1887. Almost all the Syro-Malabar eparchies have enacted diocesan statutes. The 'Book of Decrees' of Mar Makil (1903) is the first among them. The documents from the Apostolic See regarding the erection of the Syro-Malabar Vicariates, Exarchates, eparchies, provinces and hierarchy, the Conciliar and Post-Conciliar documents, the four *Motu Proprios* of the Code of Canons of the Eastern Churches, the Statutes of the concerned Bishops' Conferences, etc. form the vital part of the juridical sources of this Church.

The present code of Particular Law has been made in the light of the provisions of the Code of Canons for the Eastern Churches (CCEO). On 30 November 1990 the Syro-Malabar Bishops' conference
appointed a Committee to draft the code of particular law of the Syro-Malabar Church. Guidelines were also given for the same. As the Syro-Malabar Church was raised to the status of Major Archiepiscopal sui iuris Church, its first Synod of Bishops held from 20 to 25 May 1993 reconstituted the committee as the 'Commission for Particular Law'. After much discussions and deliberations the present code is approved by the Synod of Bishops.
NEWS

a) Major Archiepiscopal Ordinary Tribunal constituted

The Syro-Malabar Major Archiepiscopal Tribunal has been constituted and the following personnel have been appointed: Frs. Andrews Thazhath (President & Judge), Jacob Kollaparambil (Vice-President & Judge), Emmanuel Arackathottam CST (Defender of Bond), James Kallumkal (Defender of Bond & Promoter of Justice), Louis Neriamparampil (Judge), Joseph Kuzhinjalil (Judge), Varghese Palathingal (Judge), Jose Irimpan (Judge), Jose Chiramel (Judge), Jose Pathiyamoolayil MCBS (Judge), Antony Kelamparampil CMI (Notary). The Tribunal has started functioning at the Office of the Pontifical Delegate.

b) Next Synodal Assembly

The next assembly of the Synod is to take place from 6 to 10 March 1995 to discuss certain urgent matters.

c) Finance Council for the Curia

In pursuance of the decision of the Synod of Bishops a Financial Council consisting of the following members has been constituted. Bishop Joseph Kundukulam (Chairman), Fr Mathew Madathikunnel (Ex-officio Convenor), Fr Mathew Muttamthotty, Fr Gregory Paruvaparampil, Fr Varghese Palamattam CMI, Sr Franco CHF, Sri George M.V. Mundackal, and Sri Mathew Thomas Kollamkulam.

d) New Headquarters for the Curia

A plot of land of 21.30.142 acres has been purchased at Kakkanad, about two and a half kilometres away from the Civil Station, to house the offices of the Major Archbishop. The site has been given the name “Mount St Thomas.”
e) **Pontifical Commission**

A Pontifical Commission consisting of Rev Fr Clarence Gallagher SJ, Rector of the Pontifical Oriental Institute, Rome and Abbot Jean Michael, visited the St Thomas Apostolic Seminary and the Paurastya Vidyapitham from 23 November to 2 December. They held extensive talks with the staff as well as the students. The Commission was appointed by the Congregations for the Oriental Churches and for the Catholic Education jointly.

f) **Church for the Syro-Malabar Community in Rome**

The Vicariate of Rome has assigned a Church in central Rome for the use of the Syro-Malabar Community. Fr George Nedungatt SJ was appointed as the parish priest and Fr Jose Kaniampampil as assistant parish priest.

**From the Eparchies**

**Palghat**

The resignation of Mar Joseph Irimpan, bishop of Palghat, from the pastoral governance of the eparchy was accepted on 1st December 1994. Fr Joseph Veliyathil, his synccellus, was appointed by the Pontifical Delegate as the Administrator of the eparchy until a new pastor is appointed. Mar Irimpan has moved to the Priests’ Home at Peechey soon after his resignation.

**Palai**

The Pious Union of Snehagiri Sisters has become a Congregation of eparchial right with the approval of the Holy See. It was founded by Fr Abraham Kaipanplackal in 1969 in Palai for the care of the aged and orphan people. The Congregation has its headquarters at Karoor in the eparchy of Palai.

**Kanjirapally**

The pious union of the Sisters of St John of Cross has been approved by the Holy See as a Congregation of the eparchial right. It
was founded in Kattappana by Bro Fortunatus of the Brothers of St John of the Cross.

Mananthavady

a) The Indian region of the Sisters of Charity of St Vincent de Paul who have their Mother house at Mananthavady has been approved by the Holy See as a independent Congregation of the Syro-Malabar Church. The new Congregation will be a member in the worldwide Vincentian federation and will have the same Pontifical status as the mother Congregation.

b) Norbertines take up N.R Pura: Owing to the shortage of personnel and funds the Narasimharajapura Region in Karnataka in the eparchy of Mananthavady has been entrusted to the Order of Praemonstranses, known as the Norbertines. They have the headquarters of their Syro-Malabar foundation in Mananthavady.

Statement on Absolution of the sin of abortion*

Procuring a completed abortion is a grave sin and hence it is reserved to the eparchial Bishop to absolve it (cf CCEO 728,2). Nevertheless in view of the good of the penitents all confessors are hereby granted the faculty of absolving this sin during the seasons of annunciation and lend and on special occasions like retreats, main feasts of the parish, charismatic and Bible conventions (and at centres of retreat). A confessor may absolve this sin even at other times if in his prudent judgement the faculty cannot be requested from the bishop without grave inconvenience to the penitent or without danger of violation of the sacramental seal (if CCEO 729, 2). A confessor is to do so only after having made the penitent realise the gravity of the sin. On all other occasions faculty has to be sought from the bishop in each individual case.

* In response to a request from one of the eparchies the Synod in its assembly in November 1994 ordered the publication of this directive.
Statement of the Synod of Bishops of the Syro Malabar Church on the demand of SC Christians for equal justice

The Synod of Bishops of the Syro Malabar Major Archiepiscopal Church of Ernakulam-Angamaly during its sitting on 22nd November 1994 at Ernakulam hereby makes the following statement.

1. We express our commitment to the national efforts for the promotion of national integration, secularism and communal harmony.

2. The Christian community, as a whole, has been fully involved in the nation building and their dedicated services through educational institutions, hospitals and social service centres reach the less privileged in every nook and corner of the country without making any distinction on the basis of religion, region, gender or caste.

3. However, it is shocking that the discrimination against the scheduled castes following Christianity is allowed to continue in our motherland committed to secularism. The discrimination against SC Christians violates art. 18 of the Universal Declaration on human rights by the U.N.O and articles 14, 15, 16 and 25 of the Constitution of India.

We, the entire hierarchy of the Syro Malabar Major Archiepiscopal Church do hereby express our deep concern over the unjust discrimination against the SC Christians on the basis of religion and request the Government of India to erase this blur on secularism by introducing the required bill during the forthcoming Winter Session of the Parliament to amend Para. 3. of the Constitution (Scheduled Castes) Order 1950 to include the Scheduled Castes following Christianity at par with the SCs in Hinduism, Sikhism and Buddhism.

We, the Bishops of the Syro Malabar Church also do hereby demand the Government of Kerala and the representatives in the Parliament and State Assembly to take all possible means to impress upon the
Government of India to redress the grave grievance of the Christian Community by extending equal justice to SC Christians.

The Synod also expresses full solidarity with the efforts of other Churches and organisations to secure equal justice to SC Christians and call upon the members of the Syro Malabar Community to voice their whole-hearted support and cooperation to the demand to secure statutory benefits to our brethren of Scheduled Caste origin. However, such efforts must be within the frame work of democratic and non-violent means.

Ernakulam

22-11-1994

(This is the full text submitted to the Prime Minister and the Chief Minister.)
SYNODAL NEWS
Bulletin of the Syro-Malabar Major Archiepiscopal Church
No. 4 February 1995

SYNODAL NEWS will be published after each Synod of Bishops of the Syro-Malabar Church. It is hoped that there will be two Synodal Assemblies every year. Since the dates of the Assemblies may change the dates of publication of SYNODAL NEWS also will change accordingly.

Subscription rate is as follows: One Year (two issues): Rs. 30/- (including postage). Subscription is payable in advance. Payment can be made by cheque, Bank Draft or Money Order. If payment is made by cheque Rs. 10/- extra must be added as bank commission. Cheques and Drafts may be drawn in favour of SYNODAL NEWS and sent to Editor, Synodal News, Office of the Pontifical Delegate, Ernakulam, PB No. 2580, Kochi 682 031, Kerala, India. Money Orders may be sent directly to the Finance Officer in the above address. Subscription will be accepted for a maximum of one year only.

Back issues of SYNODAL NEWS are available at the following rates: No. 1: Rs. 8/-; No. 2: Rs. 15/-; No. 3: Rs.15/- (Postage extra).

For further information please write to:

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SYNODAL NEWS
Office of the Pontifical Delegate
Ernakulam, PB No. 2580
Kochi 682 031
Kerala, India.

Published by the Syro-Malabar Major Archiepiscopal Curia,
PB No. 2580, Kochi 682 031, India
and printed at Alwaye Press, Aluva 683 101.