



Allahabad High Court Clarifies That Religious Conversion Does Not Automatically Extinguish Scheduled Tribe Status

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Recent Developments:

- The **Allahabad High Court in September 2026** held that conversion to another religion does not, by itself, automatically terminate a person's **Scheduled Tribe (ST) status**. The continuation of ST status is a **question of fact**, requiring examination of whether the person continues to possess the essential attributes of tribal identity.
- The Court relied extensively on the **Supreme Court's March 2026 judgment in Chinthada Anand v. State of Andhra Pradesh**, which distinguished the statutory framework governing Scheduled Castes from that governing Scheduled Tribes.
- The Supreme Court held that the **Constitution (Scheduled Tribes) Order, 1950 does not impose a religion-based exclusion**, unlike Clause 3 of the Constitution (Scheduled Castes) Order, 1950. Therefore, conversion alone cannot determine whether a person remains a member of a Scheduled Tribe.
- The Allahabad High Court applied this principle in a dispute concerning **land transfers involving a claimant from the Bhuiya Scheduled Tribe community** and examined whether her subsequent conduct demonstrated a continuing connection with tribal identity and community life.
- The ruling is significant because it clarifies that **tribal status is linked to continuing substantive tribal identity**, while religious conversion is only one circumstance that may be relevant to determining whether that identity has been severed.

Constitutional Framework of Scheduled Tribes:

Meaning of Scheduled Tribes:

- **Article 366(25)** defines Scheduled Tribes as tribes or tribal communities, or parts or groups within such tribes or tribal communities, which are deemed to be Scheduled Tribes for the purposes of the Constitution under **Article 342**.
- The constitutional definition does not prescribe a religion-based condition for recognition as a Scheduled Tribe.
- The **Constitution (Scheduled Tribes) Order, 1950** identifies the tribal communities recognised as Scheduled Tribes in relation to specific States and Union Territories.

Article 342 and Identification of STs:

- Under **Article 342(1)**, the President may, after consultation with the Governor of the concerned State where applicable, specify tribes or tribal communities as Scheduled Tribes through public notification.
- Under **Article 342(2)**, **Parliament** can include or exclude communities from the notified list through legislation, while the Presidential notification cannot otherwise be varied by a subsequent notification.

- ST recognition is therefore **State or Union Territory-specific**, meaning recognition in one jurisdiction does not automatically establish ST status throughout India.

Basis of Tribal Identification:

- The **Lokur Committee** identified five broad criteria historically used for identifying Scheduled Tribes: **primitive traits, distinctive culture, geographical isolation, shyness of contact with the larger community and socio-economic backwardness.**
- These criteria are not themselves an independent constitutional test for deciding every individual claim; the legally relevant question remains whether the person belongs to a tribe notified under the Constitution (Scheduled Tribes) Order, 1950 and continues to satisfy the substantive requirements of tribal membership.
- The Supreme Court's 2026 ruling places particular emphasis on **tribal customs, social organisation, community life and community recognition** when conversion or prolonged assimilation creates doubt about continuing tribal identity.

Supreme Court Ruling in Chinthada Anand Case, 2026:

Background and Central Legal Issue:

- In **Chinthada Anand v. State of Andhra Pradesh**, the Supreme Court considered the consequences of religious conversion for Scheduled Caste and Scheduled Tribe status.
- The case involved a person originally belonging to the **Madiga Scheduled Caste community** who had subsequently converted to Christianity.
- The Court examined whether a person who professes Christianity could continue to claim Scheduled Caste status under the Constitution (Scheduled Castes) Order, 1950.

Supreme Court's Position on SC Status:

- The Court held that **Clause 3 of the Constitution (Scheduled Castes) Order, 1950** creates an express religious restriction.
- A person who professes a religion other than **Hinduism, Sikhism or Buddhism** cannot be deemed to be a member of a Scheduled Caste under the Order.
- Consequently, conversion to a religion outside these three specified religions results in the **loss of Scheduled Caste status**, irrespective of the caste into which the person was originally born.
- The Court also held that a person cannot simultaneously profess and practise a religion outside the specified category and claim Scheduled Caste membership for statutory benefits.
- Once SC status is lost under Clause 3, benefits and protections legally dependent upon SC membership, including those under the **Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989**, cannot be claimed merely on the basis of the person's original caste identity.

Supreme Court's Position on ST Status:

- The Court expressly distinguished the **Constitution (Scheduled Tribes) Order, 1950** from the Constitution (Scheduled Castes) Order, 1950.
- The ST Order **contains no equivalent religion-based exclusion.**
- Therefore, conversion to Christianity, Islam or another religion does not automatically extinguish ST status.
- However, a person must continue to **belong to the tribe in substance**, and the claimant must demonstrate continuing tribal identity where it is disputed.

Test for Continuing Tribal Identity:

Conversion Is Not the Sole Determinant:

- The Supreme Court clarified that ST status cannot be rejected merely because a person has changed religion.

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- The decisive issue is whether the claimant continues to possess and is recognised for the **essential attributes of tribal identity**.
- The relevant considerations include **customary practices, social organisation, community life and acceptance by the concerned tribal community**.

Severance from Tribal Life:

- If conversion or subsequent conduct results in **complete severance from the tribal way of life**, the foundational basis of ST status may be considered to have eroded.
- Long-term abandonment of tribal customs, rituals, customary laws and community relationships can therefore become relevant evidence.
- The Supreme Court relied on the principle that a person must continue to be a member of the tribe in substance rather than merely rely upon historical or documentary identity.

Community Recognition:

- **Community acceptance** is an important element because tribal identity is not determined solely by individual self-identification.
- Evidence showing continued participation in tribal customs, social organisation and community life can support a claim of continuing ST identity.
- Conversely, prolonged assimilation into another social and religious community, accompanied by complete abandonment of tribal practices and loss of community recognition, can weaken or defeat such a claim.
- The determination is therefore **fact-specific**, and the competent authority must examine the evidence rather than apply an automatic rule based solely on conversion.

Allahabad High Court Ruling and Tribal Land Rights:

Background of the Dispute:

- The Allahabad High Court considered petitions filed by a claimant who asserted membership of the **Bhuiya Scheduled Tribe community**.
- The dispute concerned land transfers that were challenged under statutory restrictions protecting Scheduled Tribe land from transfer to persons outside the ST category.
- The State questioned the claimant's continuing ST identity on the basis of evidence concerning her marriage, religious practices, family life, names of her children and official records indicating prolonged assimilation into another community.

Restrictions on ST Land Transfer:

- **Section 157-B of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950** restricts a Scheduled Tribe member from transferring land by sale, gift, mortgage, lease or otherwise to a person who is not a member of a Scheduled Tribe.
- The **Uttar Pradesh Revenue Code, 2006** also contains restrictions protecting Scheduled Tribe land from prohibited transfers.
- These provisions seek to prevent **tribal land alienation and dispossession**, which have historically contributed to economic vulnerability among tribal communities.
- The Allahabad High Court's reasoning therefore connects the question of religious conversion and continuing ST identity with the operation of statutory land-protection measures.

Evidentiary Value of ST Certificates:

- A caste or tribal certificate issued by an executive authority is important documentary evidence but is **not necessarily conclusive in every disputed case**.

- The Supreme Court emphasised that claims to Scheduled Caste or Scheduled Tribe status must be supported by clear and reliable evidence where status is disputed.
- In the Allahabad High Court proceedings, the existence of an earlier ST certificate did not prevent examination of subsequent conduct relevant to the claimant's continuing tribal identity.
- Therefore, **documentary certification and substantive identity are related but distinct questions** when the validity of status itself is challenged.

Scheduled Tribes and Constitutional Safeguards:

Fifth and Sixth Schedules:

- The Constitution provides special administrative and governance mechanisms for tribal areas through the **Fifth Schedule and Sixth Schedule**.
- The Fifth Schedule primarily deals with the administration and control of **Scheduled Areas and Scheduled Tribes** in specified States.
- The Sixth Schedule provides autonomous institutional arrangements for certain tribal areas in **Assam, Meghalaya, Tripura and Mizoram**.
- These arrangements recognise the importance of protecting tribal land, customary institutions, community resources and local self-governance.

Political and Institutional Safeguards:

- The Constitution provides **reservation of seats in the Lok Sabha and State Legislative Assemblies** for Scheduled Tribes in accordance with constitutional provisions.
- **Article 338A** establishes the **National Commission for Scheduled Tribes**, which monitors constitutional and legal safeguards for STs and investigates matters relating to their protection and development.
- The Ministry of Tribal Affairs functions as the nodal Ministry for overall policy, planning and coordination of programmes relating to Scheduled Tribes.

Forest Rights and Tribal Livelihoods:

- The **Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006** recognises specified individual and community forest rights and seeks to address historical injustice faced by forest-dwelling communities.
- Forest rights are particularly important because tribal livelihoods are closely associated with **land, forests, minor forest produce, community resources and customary practices**.

Particularly Vulnerable Tribal Groups:

Identification and Characteristics:

- India officially recognises **75 Particularly Vulnerable Tribal Groups (PVTGs)**.
- PVTGs are characterised by extreme socio-economic vulnerability and historically low levels of technological and economic development, along with geographical and social isolation in many cases.
- The Government has adopted targeted interventions because generic welfare measures may not adequately address the specific vulnerabilities of these communities.

PM-JANMAN:

- The **Pradhan Mantri Janjati Adivasi Nyaya Maha Abhiyan** was launched during 2023-24 for the socio-economic development of the 75 PVTG communities.
- Its interventions cover **housing, drinking water, education, health and nutrition, road and telecommunications connectivity, electrification and sustainable livelihood opportunities**.

Judicial Pronouncements on Scheduled Caste Status:

C.M. Arumugam v. S. Rajgopal, 1976:

- The Supreme Court examined the effect of conversion and reconversion on caste identity and emphasised the importance of **social recognition and evidence concerning continuing caste status**.

Soosai v. Union of India, 1985:

- The Supreme Court considered the constitutional validity of the religion-based restriction under the Constitution (Scheduled Castes) Order, 1950.
- The judgment remains important in understanding the distinction between **caste-based social disadvantage and the constitutional definition of Scheduled Caste status**.

K.P. Manv. Chairman, Scrutiny Committee, 2015:

- The Supreme Court recognised that **reconversion can potentially restore SC status**, but such restoration cannot be presumed merely from a declaration of reconversion.
- Evidence concerning original caste identity, genuine reconversion and acceptance by the original caste community is relevant.

Commissions and the Debate on Religion and SC Status:

Kaka Kalelkar Commission and Mandal Commission:

- The **Kaka Kalelkar Commission** and the **Mandal Commission** examined social and educational backwardness and the persistence of caste-based disadvantage in Indian society.
- Their work contributed significantly to the development of India's broader affirmative-action framework, particularly in relation to Other Backward Classes.

Justice Ranganath Misra Commission:

- The **National Commission for Religious and Linguistic Minorities**, headed by Justice Ranganath Misra, recommended making Scheduled Caste status **religion-neutral** rather than restricting it to specified religions.
- The recommendation remains part of the wider policy debate surrounding the relationship between caste disadvantage, religious conversion and affirmative action.

Justice K.G. Balakrishnan Commission:

- In 2022, the Union Government constituted a three-member commission headed by former Chief Justice of India **K.G. Balakrishnan** to examine whether Scheduled Caste status can be extended to persons who historically belonged to Scheduled Castes but subsequently converted to religions other than Hinduism, Sikhism and Buddhism.
- The commission's mandate highlights the continuing policy debate over whether historical caste-based disadvantage necessarily disappears after religious conversion.

SC and ST Status: Key Distinction:

Constitutional and Legal Difference:

- **Scheduled Caste status:** Clause 3 of the Constitution (Scheduled Castes) Order, 1950 expressly restricts recognition to persons professing **Hinduism, Sikhism or Buddhism**.
- **Scheduled Tribe status:** The Constitution (Scheduled Tribes) Order, 1950 contains **no equivalent religion-based restriction**.

- **Effect of conversion:** Conversion outside the specified religions results in loss of SC status, whereas conversion alone does not automatically terminate ST status.
- **Core test for STs:** The continuing existence of **tribal identity, customary practices, social organisation, community life and community recognition** becomes decisive where status is disputed.
- **Nature of determination:** Both SC and ST status require membership of a community officially recognised under the relevant Presidential Order, but the legal consequences of religious conversion are materially different.

Significance for Governance and Social Justice:

Protection of Tribal Identity:

- The ruling recognises that tribal identity can have **social, cultural, customary and community dimensions** that are not reducible to religion.
- This approach is particularly relevant in tribal societies where customary institutions and community relationships may coexist with diverse religious practices.

Prevention of Misuse:

- The fact-specific approach also seeks to prevent the indiscriminate use of ST status where a claimant has completely severed ties with the tribe and no longer possesses or is recognised for its essential characteristics.
- At the same time, automatic denial solely because of religious conversion could ignore the constitutional distinction between the SC and ST frameworks.

Balancing Individual Rights and Community Protection:

- The issue requires balancing **freedom of religion, equality, affirmative action, tribal autonomy, community identity and protection of tribal land and resources**.
- A fact-based determination allows authorities to assess the actual relationship between the individual and the tribal community rather than treating religious identity as the sole determinant.

Value Addition for UPSC:

Constitutional Articles:

- **Article 366(25):** Defines Scheduled Tribes for constitutional purposes.
- **Article 338A:** Provides for the National Commission for Scheduled Tribes.
- **Article 342:** Provides the constitutional procedure for specification of Scheduled Tribes.
- **Article 341:** Provides the corresponding constitutional framework for Scheduled Castes.
- **Fifth Schedule:** Administration and control of Scheduled Areas and Scheduled Tribes.
- **Sixth Schedule:** Autonomous administration of specified tribal areas in the North-Eastern States.

Important Laws and Instruments:

- **Constitution (Scheduled Tribes) Order, 1950:** Specifies recognised Scheduled Tribes in relation to States and Union Territories.
- **Constitution (Scheduled Castes) Order, 1950:** Governs recognition of Scheduled Castes and contains the religion-based restriction under Clause 3.
- **Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006:** Recognises specified forest rights.
- **Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989:** Provides legal protection against specified atrocities against SCs and STs.
- **Panchayats (Extension to Scheduled Areas) Act, 1996:** Extends Panchayati Raj provisions to Scheduled Areas with safeguards for tribal self-governance.

UPSC GS Linkages:

- **GS-II:** Fundamental rights, affirmative action, constitutional bodies, vulnerable sections, tribal governance and judicial interpretation.
- **GS-I:** Tribal communities, social identity, cultural diversity and processes of social assimilation.
- **GS-III:** Tribal land alienation, forest rights, natural-resource governance and livelihood security.
- **Essay:** The constitutional challenge of balancing **individual liberty with community identity and affirmative action**.
- **Case-law theme:** The **Chinthada Anand judgment** demonstrates how constitutional status may depend not merely on ancestry or documentation but, in the case of disputed ST identity, on continuing substantive membership of the notified tribal community.