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Converted Tribals and ST Reservation: The Janajati Suraksha Manch Debate

INDIAN EXPRESS

30 May 2026

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INTERVIEW ANGLE



"The Janajati Suraksha Manch demands "de-listing" — removing converted tribals from Scheduled Tribe rolls. As a public-policy officer, how would you balance Constitutional non-discrimination on religion (Article 15) with the original purpose of ST reservation (social vulnerability)?"

INDIAN EXPRESS | OPINION COLUMN (RAM MADHAV) | MAY 30, 2026

Argues that the "de-listing" demand raised at the
BIRSA MUNDA 150TH ANNIVERSARY

tribal gathering and the **Janajati Suraksha Manch's May 24 Delhi event** — that converted tribals (allegedly ~10% of ST population) corner ~70% of reservation benefits — deserves serious constitutional engagement, possibly via an **Article 342 amendment**.

THE ARGUMENT IN ONE LINE

If Scheduled Tribe (ST) reservation was designed to compensate **specific historical and social disabilities tied to indigenous tribal identity**, then conversion to a non-tribal religion (Christianity, Islam) — which the converted person may have chosen partly for social-mobility reasons — raises a structural question: should the **same constitutional protection** continue to apply to converted individuals who are no longer subject to the original disabilities?

THE CONTEXT

ELEMENT	DETAIL
Trigger event	Janajati Suraksha Manch’s gathering in Delhi (May 24, 2026); Birsa Munda 150th anniversary celebrations
Demand	“De-list” converted tribals from ST rolls — through an amendment to Article 342 of the Constitution
Claim (contested)	Converted tribals ~10% of ST population corner ~70% of reservation benefits
Counter-claim	Conversion doesn’t automatically extinguish tribal identity; tribal customs, language, geography continue; the alleged 10/70 figure is unverified

CONSTITUTIONAL FRAMEWORK

ARTICLE	PROVISION
Article 14	Equality before law / equal protection
Article 15	Prohibition of discrimination on religion, race, caste, sex, place of birth — but Article 15(4), 15(5) permit “special provisions”
Article 16(4)	Reservation in public employment for backward classes
Article 25	Freedom of religion (including conversion)
Article 342	Specifies Scheduled Tribes — list notified by President; modifiable by Parliament
Article 366(25)	Defines “Scheduled Tribes” as those notified under Article 342

WHY THIS IS CONSTITUTIONALLY DIFFICULT

- ❶ **No religion-specific bar** — ST status is notified geographically and culturally, not religiously. Article 342 doesn’t condition ST status on religion.
- ❷ **SC and ST treatment differs** — SC reservation has been religion-conditioned for Hindus, Sikhs, and Buddhists (per **Constitution (Scheduled Castes) Order, 1950**, modified for Sikhs 1956 and Buddhists 1990); but **ST reservation has NO religion bar**.
- ❸ **Supreme Court precedent:**

- *State of Kerala v Chandramohan* (2004): ST reservation continues across religions for individuals notified as ST.
- *Soosai v Union of India* (1985): SC status forfeited on conversion to Christianity (limited to SC; ST framework untouched).

4 **Identity vs religion** — many converted tribals continue to live in tribal regions, speak tribal languages, follow customary law (Sixth Schedule), and face anti-tribal discrimination regardless of religion.

TWO COMPETING FRAMES

FRAME A (DE-LISTING DEMAND)	FRAME B (COUNTER-POSITION)
ST reservation compensates for tribal disability; conversion removes religious-cultural marker; converted tribals now compete with non-converted for limited reservation pool	Conversion is a constitutional right (Article 25); ST identity is socio-cultural and geographic, not religious; de-listing penalises religious choice
Constitutional fix: amend Article 342 to exclude converts	Constitutional fix: status quo; or empirically test the 10/70 claim before amending
Driven by Janajati Suraksha Manch; supported by some RSS-affiliated tribal organisations	Opposed by Christian tribal organisations (especially in Jharkhand, Chhattisgarh, NE), some legal scholars

WHAT THE COLUMN ADDS

Ram Madhav's column **does not endorse the 10/70 figure uncritically** but argues:

- **Empirical study needed** — through a parliamentary committee or judicial commission.
- **Article 342 amendment is constitutionally available** if Parliament chooses.
- **Birsa Munda 150 + tribal-identity discourse** creates a political window to revisit.

SC + ST + RESERVATION — COMPARATIVE

CATEGORY	RELIGION BAR	SOURCE
SC	YES — only Hindus, Sikhs, Buddhists	Constitution (SC) Order 1950, modified
ST	NO	Article 342; no religious filter
OBC	NO (varies by state)	Article 16(4); Mandal Commission framework

The **Sachar Committee (2006)** and **Justice Ranganath Misra Commission (2007)** had recommended **lifting the religion bar for SCs** — allowing Muslim and Christian Dalits to access SC reservation. This pulls in the **opposite direction** from the de-listing demand — toward expanding access, not contracting.

WHERE INDIA COULD LAND

PATH	LIKELIHOOD
Status quo	Most likely — political cost of de-listing is high; legal headwinds significant
Empirical commission	A parliamentary committee or executive-appointed commission to test the 10/70 claim
Article 342 amendment	Politically charged; would face SC challenge under Articles 15, 25; ratification by half the states required
Sub-categorisation within ST	Like the SC sub-categorisation upheld in <i>State of Punjab v Davinder Singh (2024)</i> — separate buckets within ST for “more vulnerable” sub-groups

UPSC HOOKS

PAPER	ANGLE
GS1	Tribal society in India; Sixth Schedule; Birsa Munda; tribal-religion conversion historiography
GS2	Articles 15, 16, 25, 342; reservation policy; sub-categorisation within reserved categories; constitutional amendment procedure (Article 368)
Mains	“The demand to de-list converted tribals from ST reservation pits Article 25 (freedom of religion) against the historical purpose of Article 342. Examine the constitutional issues and policy options.”
Prelims	Article 342 (ST notification); Article 25; Constitution (SC) Order 1950; Sachar Committee 2006; Ranganath Misra Commission 2007; <i>State of Punjab v Davinder Singh (2024)</i> — SC sub-categorisation); Birsa Munda 150th anniversary

COUNTER-VIEW (OPPOSED POSITION)

- **Religion-conditional ST status** would breach Article 15 non-discrimination.
- **Identity = socio-cultural**, not theological — conversion doesn’t erase tribal identity in lived experience.
- **The 10/70 figure is unverified**; some Christian-tribal areas (Mizoram, Nagaland, parts of Jharkhand) have high ST population by geography, not by religious capture of benefits.

- **Equivalent argument could be made against Buddhist or Christian Dalits** — and is currently being made the OTHER way (Sachar/Misra recommended INCLUSION).

CROSS-LINKS

- Article 342, Article 25, Article 15
- *State of Punjab v Davinder Singh* (2024) — SC sub-categorisation precedent
- Sachar Committee (2006), Ranganath Misra Commission (2007)
- Constitution (SC) Order 1950
- Birsa Munda — Munda Ulgulan 1899-1900; 150th anniversary

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