

---

# **THE LEGAL STATUS OF SCHEDULED CASTE AFTER RELIGIOUS CONVERSION: A CRITICAL ANALYSIS OF CHINTADA ANAND V. STATE OF ANDHRA PRADESH**

---

Kondru Appalanaidu, B.A,LL.B., Dr B.R Ambedkar college of law, Andhra university.

Komara Purnachandra, B.A,LL.B., Dr B.R Ambedkar college of law, Andhra university.

Likhita Chennupati, B.A,LL.B., Dr B.R Ambedkar college of law, Andhra university.

## **ABSTRACT:**

This article critically examines the Supreme Court's decision in Chinthada Anand v. State of Andhra Pradesh concerning the denial of protection under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act to Dalits who have converted from Hinduism. The judgment relies on Paragraph 3 of the Constitution (Scheduled Castes) Order, 1950 and reiterates that State Governments cannot override the Presidential Order issued under Article 341 of the Constitution. While the ruling is doctrinally consistent with the existing constitutional framework, it raises significant questions regarding secularism, equality, and religious freedom. The article analyses the historical and continuing nature of caste-based discrimination among converted Dalit communities and evaluates the recommendations of various commissions that have advocated making Scheduled Caste status religion-neutral. It argues that the persistence of caste-based exclusion across religious boundaries warrants a reconsideration of the 1950 Presidential Order and a more inclusive constitutional approach to protecting vulnerable communities from caste-based atrocities.

**Introduction:**

In a recent decision, the Supreme Court held that converted Dalits are not entitled to protection under the SC/ST (Prevention of Atrocities) Act if they do not fall within the scope of the Constitution (Scheduled Castes) Order, 1950. The Court further clarified that State Governments cannot override the Presidential Order issued under Article 341. Relying on established precedent, the Court interpreted the term “profess” as requiring an open declaration and practice of a particular religion. However, the judgment has reignited debates regarding its compatibility with the secular character of the Constitution and the fundamental right to freedom of religion, as critics argue that the loss of Scheduled Caste status upon conversion may indirectly discourage the exercise of religious freedom.

**Primary source of Information.**

**Case Citation:** *Chinthada Anand v. State of Andhra Pradesh & Ors.*, 2026 INSC 283 (SC).

**Case Number:** Criminal Appeal No. 1580 of 2026

**The Adjudicatory authority:** Supreme court of India

**Bench:** Justice Prasanth Kumar Mishra and justice Manmohan, JJ

**Author of the Judgment:** Prasanth Kumar Mishra, J.

**Appellant:** Chinthada Anand.

**Respondent:** State of Andhra Pradesh.

**Facts & Background of the case.**

1. The appellant who claimed to be belonging to Madiga Community being a Scheduled Caste, resides at Kothapalem Village, Pittalavanipalem Mandal, Guntur District, Andhra Pradesh.
2. He has been serving as a Christian Pastor for the last 10 years. Every Sunday he used to hold prayer meetings at houses in the said village, including at the residence of Mr. Doma Koti Reddy.
3. In December 2020, he started getting phone calls with abusive language from unknown persons, calling him by his caste name, abusing him, and threatening him for performing prayer meetings in the village, and for his presence as a Christian Pastor.

4. The first incident was stated to have occurred on 3.1.2021. It was reported that the complainant was asked out of the house of Mr. Doma Koti Reddy by one of the accused, assaulted, called by his caste name, threatened for holding prayers hereafter.

5. Second and important incident is stated to have occurred on 24.1.2021 when after performing a prayer at the house of Mr. Doma Koti Reddy on a Sunday, the complainant was allegedly attacked by respondents no. 2 to 7 and other unknown persons. The respondents are alleged to have snatched his vehicle keys and mobile phone and dragged and beat him and called him by his caste name in public, and threatened to kill him if he continued with his prayers, extending the threats to his family members.

6. Based on the complaint given by the complainant to Chandole Police Station on 25.1.2021, FIR no. 08/2021 was registered on 26.1.2021 by the said Police Station against respondents no. 2 to 7 under sections 3(1)(r)<sup>1</sup> and 3(1)(s) and 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989 (for brevity 'Act') and under sections 341, 323 and 506 IPC r/w section 34 of IPC.<sup>2</sup>

7. During the investigation which was done by the Sub-Divisional Police Officer, statement of the complainant and his wife and others were recorded and the complainant was sent for medical examination which revealed some injuries and the report mentioned it as simple in nature.

8. Caste of the complainant was verified by the Tahsildar and he found that the complainant belongs to Hindu-Madiga Scheduled Caste and respondents no. 2 to 7 belongs to Reddy Community being an Open Category.

9. After completion of investigation, on 30.4.2021, the charge sheet was filed before the Special Court under SC/ST Act at Guntur District and Spl. SC No. 36 of 2021 came to be registered.

10. Being aggrieved from the aforesaid proceedings, respondents no. 2 to 7 filed an application under Section 482 Cr.PC<sup>3</sup> before the High Court of Andhra Pradesh at Amaravati, praying for quashing of the proceedings on the ground that the complainant converted himself to Christianity and has been actively practicing the same for the last 10 years and hence, is not

---

<sup>1</sup> *Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act 1989*, ss 3(1)(r), 3(1)(s) and 3(2)(va).

<sup>2</sup> *Indian Penal Code 1860*, ss 341, 323 and 506 read with s 34.

<sup>3</sup> *Code of Criminal Procedure 1973*, s 482.

entitled to protection under the SC/ST Act by virtue of Constitution (Scheduled Castes) Order, 1950.

11. On 30.4.2025, the High Court quashed the proceedings against respondents no. 2 to 7 on the ground that if a person actively practices Christianity, then he is not entitled to the benefit of SC/ST Act of 1989<sup>4</sup>. Further, it was observed that there was no evidence of mass assault by the witnesses and the medical evidence did not disclose any serious injuries to the complainant.

12. The appellant has filed this appeal to Supreme Court being aggrieved from the said order passed by the High Court.

### **Legal issues involved in the present case.**

1. Whether an individual on being converted to a different religion will be eligible to take the benefits and protections extended by the statute to the member of the SC/ST community and if yes under what conditions?
2. Whether a Christian follower can be a member of SC/ST community as defined under the Paragraph 3 of the Constitution (SC) Order, 1950<sup>5</sup>?
3. Whether a Christian follower can invoke the protection and benefits of the SC/ST Prevention of Atrocities Act, 1989?
4. Whether an executive order of State Government (G.O. Ms No. 341)<sup>6</sup> can trump, amend or otherwise act against Presidential Order issued under Article 341 of Indian Constitution?

### **Legal provisions involved.**

1. Article 341 of the constitution <sup>7</sup>
2. Article 342 of the constitution <sup>8</sup>
3. Clause 3 of the Constitution (SC) Order, 1950

---

<sup>4</sup> *Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989*, s 3.

<sup>5</sup> *Constitution (Scheduled Castes) Order 1950*, para 3.

<sup>6</sup> Andhra Pradesh Government, *GO Ms No 341, Social Welfare (J) Department* (30 August 1977).

<sup>7</sup> *Constitution of India 1950*, art 341.

<sup>8</sup> *Constitution of India 1950*, art 342.

### **Arguments by appellant**

1. The appellant's counsel has pointed out that the High Court has wrongly quashed the criminal proceedings against respondent Nos. 2 to 7 whereas a prima facie case against them was clearly made out.
2. It has further been argued on behalf of the appellant that the High Court did not take notice of the fact that apart from the attack on the physical person of the appellant, insults and intimidation targeting at the caste were also offered by the accused to the appellant.
3. The counsel has highlighted that in quashing the proceedings the High Court fell into a grave error by taking the view that the appellant is not entitled to bring the proceedings within the scope of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, simply because he had renounced Hinduism and embraced Christianity.
4. It has also been argued on behalf of the appellant that caste is something in which a person is born and not something with which he changes himself by choosing a religion; and that religious changes should not operate to expunge caste from a person, his social context or disadvantage from which he was born.
5. The aforesaid point has also been supported by an G.O. Ms. No. 341 dated 30.08.1977 of the Government of Andhra Pradesh. It has been stated in this G.O. That conversion to another religion would not deny the benefits to Scheduled Caste converts as the said persons continued to be in that community from the point of origin of the caste.

### **Arguments by Respondent.**

1. Learned counsel appearing for the Respondent Nos. 2 to 7 urged that the High Court has correctly exercised its inherent power under Section 482 of the Code of Criminal Procedure for quashing of the proceeding and that there is no basis for invoking provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. It was also submitted by the learned senior counsel, that from admissions of the appellant, the appellant is a pastor of over more than 10 years, holding Sunday prayers and practicing Christianity. As such, he is not entitled to invoke the benefit of SC/ST Act, which is applicable

only to the persons professing and included in the Schedule of SC/ST as envisaged by clauses (24) and (25) of Article 366 read with Article 341 and 342 of the Constitution of India.<sup>9</sup>

3. It was argued on behalf of the counsel for the respondents that the constitutional (Scheduled Castes) Order, 1950 under Clause 3 provided that no person who professes a religion other than Hinduism, Sikhism or Buddhism shall be considered to be a member of a Scheduled Caste.

4. Additional argument was made to the effect that for the application of provisions of SC/ST Act, there should be in existence a bona fide membership of Scheduled Castes or Scheduled Tribes. As per argument no assistance is afforded by the so-called caste certificate produced by the appellant, to support the claim.

5. On the contrary, in support of G.O. Ms. No. 341 dated 30.08.1977, it was argued by the counsel for the respondents that no State level government order would prevail over or alter or amend the Presidential Order issued under Article 341 of the Constitution of India and the executive order of the State Government cannot extend or enlarge the scope or content of the Presidential Order.

### **Holding of the court**

In this judgment, the Supreme Court undertook a detailed analysis of the constitutional provisions and case law governing Scheduled Castes and Scheduled Tribes in the context of religious conversion. Articles 341 and 342 of the Constitution empower the President to notify castes and tribes deemed Scheduled Castes and Scheduled Tribes, with Parliament alone authorized to amend these lists. The Constitution (Scheduled Castes) Order, 1950, particularly Clause 3, is crucial because it restricts Scheduled Caste status to Hindus, Sikhs, and Buddhists, explicitly excluding Christians. Similarly, the Constitution (Scheduled Tribes) Order, 1950 requires continued adherence to tribal customs and identity, meaning conversion can sever tribal membership.

The Court relied on several precedents to interpret these provisions. In *State of Kerala v. Chandramohan*<sup>10</sup>, it was held that conversion and abandonment of tribal practices may sever tribal identity, making membership a factual question to be determined at trial. In *C.M.*

---

<sup>9</sup> Constitution of India 1950, arts 366(24), 366(25), 341 and 342.

<sup>10</sup> *State of Kerala v Chandramohan an* (2004) 3 SCC 429 (SC).

*Arumugam v. S. Rajagopal*<sup>11</sup>, caste was described as a social combination rather than purely religious, but conversion generally expels a person from caste unless the caste's internal rules permit otherwise. Most significantly, in *Punjab Rao v. D.P. Meshram*<sup>12</sup>, the Court interpreted "profess" to mean an open declaration or practice of religion, holding that publicly professing Christianity excludes one from Scheduled Caste status under the 1950 Order.

Applying these principles, the Court emphasized that Christianity does not recognize caste hierarchies, and the appellant's role as a Pastor for over a decade constituted clear evidence of openly professing Christianity. Therefore, as per Clause 3 of the 1950 Order, he could not claim Scheduled Caste status, and consequently, the protection of the SC/ST Act, 1989 was unavailable to him. The Court also rejected reliance on G.O. Ms. No. 341 (1977) of Andhra Pradesh, holding that an executive order cannot override a Presidential Order under Article 341.<sup>13</sup>

### Critical Analysis of judgment.

The Supreme Court's ruling in *Chinthada Anand v. State of Andhra Pradesh*<sup>14</sup> has triggered strong reactions from political parties and civil society. While the Court's reasoning is doctrinally consistent with the **Constitution (Scheduled Castes) Order, 1950** and earlier precedents like *Punjab Rao v. D.P. Meshram*<sup>15</sup>, critics argue that the judgment undermines the constitutional spirit of equality and social justice<sup>16</sup>. Political commentators and activists contend that caste identity and the discrimination attached to it are rooted in socio-economic realities, not merely in religious affiliation. The Communist Party (M) rightly observed that reservations and safeguards for Scheduled Castes are based on historical oppression and structural disadvantage, which persist even after conversion. This argument gains weight from *G. Michael v. S. Venkateswaran*, where Rajamannar<sup>17</sup>, C.J. noted that conversion does not automatically erase caste identity, and whether a person ceases to belong to a caste depends on the caste's internal rules and social acceptance. Interestingly, the Supreme Court itself has

---

<sup>11</sup> *C M Arumugam v S Rajgopal* (1976) 1 SCC 863 (SC).

<sup>12</sup> *Punjab Rao v DP Meshram* (1965) 1 SCR 849 (SC).

<sup>13</sup> *Chinthada Anand v State of Andhra Pradesh* 2026 INSC 283 (SC).

<sup>14</sup> *Ibid.*

<sup>15</sup> *Punjab Rao v DP Meshram* (1965) 1 SCR 849 (SC).

<sup>16</sup> M Kiran Kumar, 'SC Status Row: Conversion Debate Reignites After Supreme Court Verdict' *Left Views* (25 March 2026) <https://www.leftviews.in/social-justice--rights-83204/news-65050/sc-status-conversion-supreme-court-row-61968> accessed 29 June 2026.

<sup>17</sup> *G Michael v S Venkateswaran* AIR 1952 Mad 474 (Mad HC).

agreed with this principle in earlier rulings, but in the present case it did not explore such flexibility, instead relying strictly on the constitutional order of 1950.

Critics also highlight that the Court overlooked the social reasons why Dalits often convert to Christianity. As Padma Shri Manda Krishna Madiga pointed out, Hinduism historically excluded Dalits from temples, while Christian missionaries offered basic education and healthcare<sup>18</sup>. This socio-economic dimension of conversion is undeniable in India's context. Furthermore, political leaders like Randeep Surjewala of the Indian National Congress raised constitutional concerns: first, that the ruling has caused deep consternation among weaker sections of minorities; and second, that such a substantial question of constitutional interpretation should have been referred to a larger bench<sup>19</sup> under **Article 145(3)**, which requires a quorum of five judges. While this criticism is valid, it overlooks the fact that the Court in this judgment cited *Punjab Rao v. Meshram*<sup>20</sup>, a five-judge bench decision that had already critically interpreted the word "profess."

The issue of Scheduled Caste status for converts to Christianity and Islam continues to remain unresolved. In this context, Randeep Surjewala pointed out that the matter has been pending before a three-judge Bench of the Supreme Court since 2011<sup>21</sup>. The debate over the relationship between caste and religion within India's reservation framework has evolved over decades, shaped by constitutional provisions, sociological realities, and continuing legal challenges.

As early as 1955, the Kaka Kalelkar Commission<sup>22</sup> observed that caste hierarchies and practices of untouchability were not confined to Hindu society but had also permeated Christian and Muslim communities. This was a significant acknowledgment that religious conversion does not automatically erase caste-based discrimination and social exclusion.

---

<sup>18</sup> Hyderabad: MRPS chief questions denial of SC status to Dalit Christians' *the Siasat Daily* (Hyderabad, 14 April 2026) <https://www.siasat.com/hyderabad-mrps-chief-questions-denial-of-sc-status-to-dalit-christians-3452600/> accessed 29 June 2026.

<sup>19</sup> Sriram Srinivasan, 'Congress Questions Supreme Court Order on SC Status for Converts' *The Hindu* (27 June 2026) <https://www.thehindu.com/news/national/congress-questions-supreme-court-order-on-sc-status-for-converts/article70783173.ece> accessed 30 June 2026

<sup>20</sup> *Punjab Rao v DP Meshram* (1965) 1 SCR 849 (SC).

<sup>21</sup> Sriram Srinivasan, 'Congress Questions Supreme Court Order on SC Status for Converts' *The Hindu* (27 June 2026) <https://www.thehindu.com/news/national/congress-questions-supreme-court-order-on-sc-status-for-converts/article70783173.ece> accessed 30 June 2026

<sup>22</sup> First Backward Classes Commission, *Report of the Backward Classes Commission (Kaka Kalelkar Commission)* (Government of India 1955).

Interestingly, in 2007, the Ranganath Mishra Commission<sup>23</sup> recommended the deletion of Paragraph 3 of the Constitution (Scheduled Castes) Order, 1950<sup>24</sup>. The Commission argued that Scheduled Caste status should be made religion-neutral<sup>25</sup>, as caste-based disabilities continue to affect individuals even after conversion. However, the Court did not take these recommendations into consideration while addressing the issue.

Moreover, instead of implementing the recommendations of various commissions, the Union Government in 2022 constituted a Commission of Inquiry under Justice K.G. Balakrishnan<sup>26</sup> to look after, whether Scheduled Caste status should be extended to Dalit converts. Even then, the Court did not wait for the findings of this Commission before deciding the matter.

One significant observation made by the Court was that State Governments cannot override the Presidential Order issued under Article 341 of the Constitution<sup>27</sup>. This conclusion is legally correct from the perspective of Article 341. However, the Court did not attempt to examine the validity or consequences of the Presidential Order of 1950 itself. Critics argue that the Order is contrary to the secular character of the Constitution and infringes upon the freedom to profess and practice religion. According to this view, members of Scheduled Castes may be discouraged from changing their religion due to the fear of losing their Scheduled Caste status and the benefits attached to it.<sup>28</sup>

Empirical studies further demonstrate that caste-based discrimination and untouchability are not confined to Hindu society but persist within Muslim communities as well. Ali Anwar, in *Masawat Ki Jang*, documented the lived experiences of Dalit Muslim communities such as the Bakkho, Halalkhor, Nat, and Darzee castes in Bihar, showing that exclusion continues even in burial grounds. Similarly, Prashant Trivedi's survey in Uttar Pradesh found that a significant

---

<sup>23</sup> National Commission for Religious and Linguistic Minorities, *Report of the National Commission for Religious and Linguistic Minorities (Ranganath Mishra Commission Report)* (Government of India 2007).

<sup>24</sup> *Constitution (Scheduled Castes) Order 1950*, para 3.

<sup>25</sup> Tanishka Shah, 'Can a Dalit Christian Claim Scheduled Caste Status? Supreme Court's Ruling Invisibilises Caste-Oppression Faced After Conversion' *The Leaflet* (26 March 2026) <https://theleaflet.in/equality/can-a-dalit-christian-claim-scheduled-caste-status-supreme-courts-ruling-invisibilises-caste-oppression-faced-after-conversion> accessed 29 June 2026.

<sup>26</sup> Government of India, *Commission of Inquiry under Justice K G Balakrishnan to Examine Scheduled Caste Status for Dalit Converts* (Ministry of Social Justice and Empowerment, 2022).

<sup>27</sup> *Constitution of India 1950*, art 341.

<sup>28</sup> Khalil ur Rehman, 'How a Seventy-Year-Old Presidential Order Still Shapes Dalit Life After Conversion' *The Leaflet* (6 December 2025) <https://theleaflet.in/equality/how-a-seventy-year-old-presidential-order-still-shapes-dalit-life-after-conversion> accessed 30 June 2026.

number of Dalit Muslims were denied burial in upper-caste graveyards and experienced discrimination in mosques, along with stigma associated with traditional occupations.<sup>29</sup>

Likewise, **Masood Alam Falahi's *Zaat Paat aur Musalman*** highlights the deeply entrenched caste hierarchy within Muslim society, where communities such as the Arzal continue to face exclusion and discrimination. Restrictions on inter-caste marriages, unequal social relations, occupational stigma, and the practice of changing surnames to conceal caste identity all indicate the persistence of untouchability in different forms.<sup>30</sup>

The key takeaway from these studies is that untouchability should be understood as a broader social phenomenon rather than one confined to Hinduism. It manifests through exclusion from burial grounds, restrictions on marriage, occupational stigma, and denial of dignity across religious communities. This strengthens the argument that constitutional and legal protections against caste-based discrimination should extend beyond the Hindu fold and recognize caste as a pan-religious social reality.

Furthermore, the judgment fails to engage with ***Soosai v. Union of India (1985)***<sup>31</sup>, where the Supreme Court acknowledged that the question of extending Scheduled Caste status to Dalit converts could only be resolved through adequate socio-economic evidence. This omission overlooks an important precedent that emphasized the relevance of empirical data in determining whether caste-based discrimination continues even after religious conversion.

## Conclusion.

The Supreme Court in ***Chinthada Anand v. State of Andhra Pradesh***<sup>32</sup> held that the protection of the SC/ST (Prevention of Atrocities) Act does not extend to Dalits who have converted from Hinduism, relying on Paragraph 3 of the Constitution (Scheduled Castes) Order, 1950. While the ruling is consistent with the existing legal framework under Article 341, the Court could have given greater consideration to the historical oppression and continuing caste-based discrimination faced by Dalit communities even after conversion.

---

<sup>29</sup> Ibid.

<sup>30</sup> Ibid.

<sup>31</sup> *Soosai v Union of India* 1985 Supp SCC 590 (SC).

<sup>32</sup> *Chinthada Anand v State of Andhra Pradesh* 2026 INSC 283 (SC).

Although the term "Scheduled Caste" under the Constitution is religion-neutral, the 1950 Presidential Order imposes a religious restriction. Several bodies, including the Gopal Singh Panel<sup>33</sup>, the Sachar Committee<sup>34</sup>, the Ranganath Misra Commission<sup>35</sup>, and the National Commission for Minorities, have recommended making Scheduled Caste status religion-neutral. In light of these recommendations and the continuing reality of caste discrimination across religions, there is a strong case for revisiting the 1950 Presidential Order.

---

<sup>33</sup> High-Powered Panel on Minorities, Scheduled Castes and Scheduled Tribes (Chair: P G J Singh), *Report of the High-Powered Panel on Minorities, Scheduled Castes and Scheduled Tribes* (Government of India 1983).

<sup>34</sup> Prime Minister's High-Level Committee, *Social, Economic and Educational Status of the Muslim Community of India: A Report* (Chair: Justice Rajinder Sachar, Government of India 2006).

<sup>35</sup> National Commission for Religious and Linguistic Minorities, *Report of the National Commission for Religious and Linguistic Minorities* (Chair: Justice Ranganath Misra, Government of India 2007).