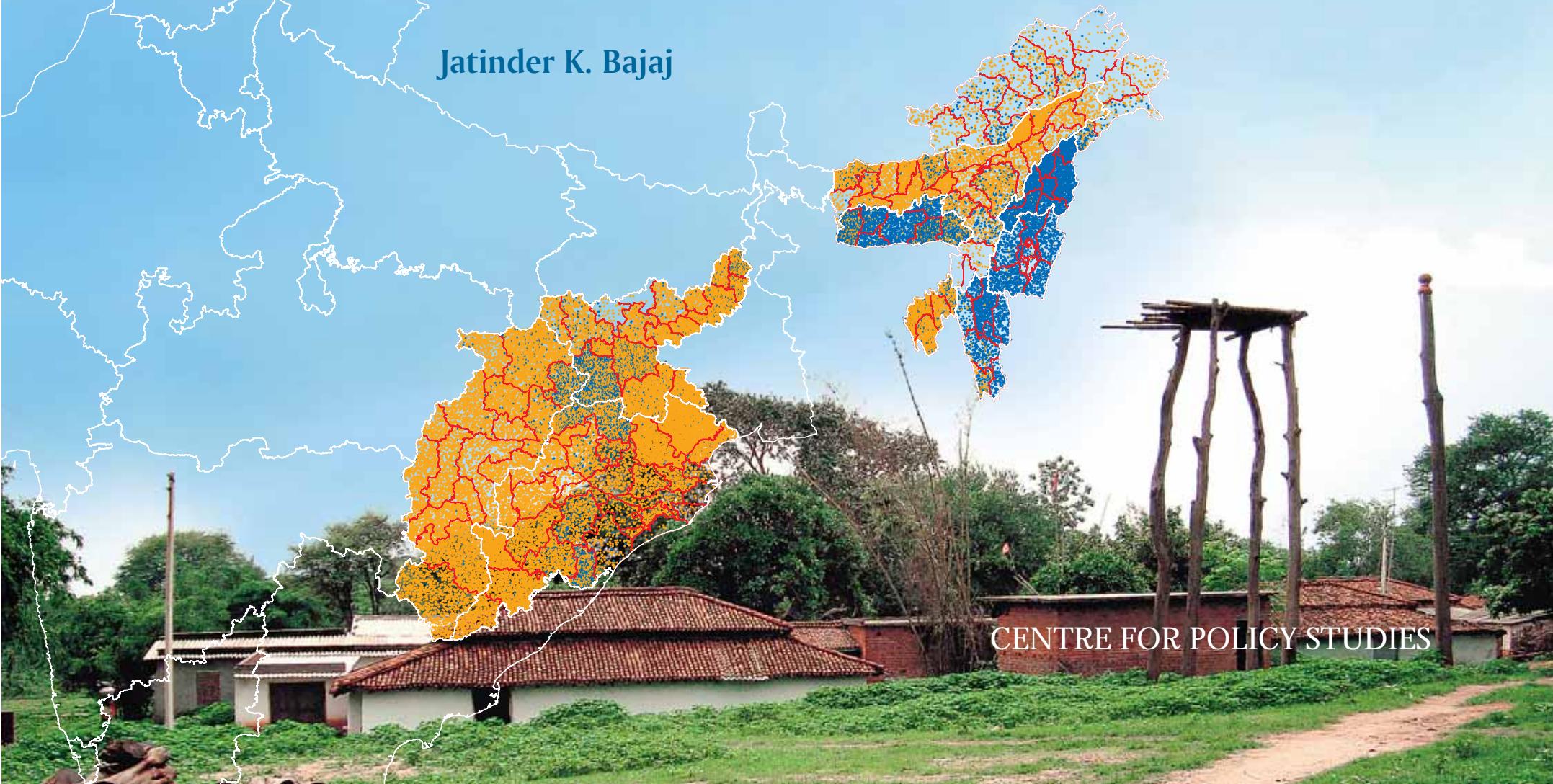




Scheduled Tribes of India: Religious Demography and Representation

Jatinder K. Bajaj



CENTRE FOR POLICY STUDIES

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समाजनीति समीक्षण केन्द्र

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by Jatinder K. Bajaj

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Preface

There are 84 million Scheduled Tribe persons in India as counted in the Census of 2001. Of them, about one third are in the Central Indian region comprising Jharkhand, Chhattisgarh, Orissa and some of the contiguous districts of Bihar, Madhya Pradesh, Maharashtra and Andhra Pradesh. Another about a third are in the western region comprising Rajasthan, Gujarat, and several districts of Madhya Pradesh and Maharashtra. There are about 8 million Scheduled Tribes in parts of Andhra Pradesh, Karnataka, Tamil Nadu and Kerala. About 2 million Scheduled Tribes are in the northern region of Jammu and Kashmir and the adjoining districts of Himachal Pradesh and Uttarakhand. The remaining about 14 million Scheduled Tribes are in the eastern region: 4 million in West Bengal, 3 million in Assam and about 7 million in the other six states of the Northeast.

A predominant majority of the Scheduled Tribes in India continue to follow their traditional religion; nearly 75 million of the 84 million STs are followers of either Hinduism, Buddhism or one of the many sects like Sarna Dharma, Sari Dharma and Doni Polo, etc. But there are also about 1.2 million Muslims and nearly 8 million Christians among them. The Muslim STs are mainly in Jammu and Kashmir; and, to a lesser extent, in Maharashtra and Lakshadweep. Of 8 million Christian STs, 5.5 million are in the Northeast; of them, about 0.3 million are in Assam and Tripura, and 5.2 million in the remaining five Northeastern States. Among about 74 million Scheduled Tribes outside the Northeast, there are only 2.5 million Christians. Of them, about 2 million are in the three Central Indian States of Jharkhand, Chhattisgarh and Orissa; these three States have a combined ST population of about 22 million.

Though there are so few Christians among the Scheduled Tribes of India, especially outside the Northeast, yet they command a disproportionately large

share of the ST positions in the Central Services. This is achieved mainly by assigning a high number of ST places in the Central Civil Services to the STs of the Northeastern States, most of whom are Christian. But, even in the other States of India, which have relatively low ST representation in the Central Civil Services, Christians manage to occupy a disproportionately high share. In the State Civil Services also, the number of ST positions filled by the Christian STs is much higher than what would be their fair share on the basis of their proportion in the ST population of the State.

Here, we present data on the share of STs and Christian STs of the Northeastern States in the Indian Administrative Service based on the Civil List as on January 1, 2009. We compare the situation of the Northeast with three States of Central India, Jharkhand, Chhattisgarh and Orissa, each of which has ST population comparable to the whole of Northeast excluding Assam. The difference in the number of ST IAS officers from the Northeast and the other three States that we have considered is striking. The Northeastern States (excluding Assam) have ST population of about 7 million, 5.2 million of whom are Christian. The number of ST officers of Northeastern domicile in the Civil List is 111, of whom 96 are Christian. There are another 19 ST IAS officers from Assam, of these 9 are Christian. The ST population of Assam is 3.3 million with 3 lakh Christians among them. On the other hand, Jharkhand, Chhattisgarh and Orissa together accommodate nearly 22 million STs, of whom less than 2 million are Christian. The number of ST officers in the Civil List from these three States together is 17, and 8 of them are Christian.

The data presented here deals with only a few States and mainly with the Indian Administrative Service. We are conscious that to get a complete picture,

it is important to analyse data from all States and many other Central and State Services. However, the data of the representation of STs and Christian STs from the Northeast and from the three States of Jharkhand, Chhattisgarh and Orissa points to such gross inequity between the two regions and between the Christians STs and others that we have thought it appropriate to publish this data without waiting for the compilation of the larger picture.

The inequity prevailing between the Christian STs and those who have continued to follow their traditional religion came up for discussion in the Parliament in the late sixties, largely through the efforts of Sri Kartik Oraon; the issue whether the Christian STs can lay claim to the privileges granted in the Constitution for the underprivileged and primitive Tribes has also been adjudicated by the Supreme Court on a couple of occasions. In an Appendix to this volume, we have summarised the Parliamentary debate of the late sixties, and the two Supreme Court judgements.

We have identified the ethnic and religious identity of officers in the Civil List by interacting with knowledgeable persons in the public life of different States who in many cases are personally acquainted with the officers from their States and their families. We are thankful to colleagues from the Janjati Suraksha Manch for their help in this task.

I acknowledge the contribution of my young colleague, Amit Bansal, in painstakingly compiling the GIS maps in this volume.

November 24, 2011

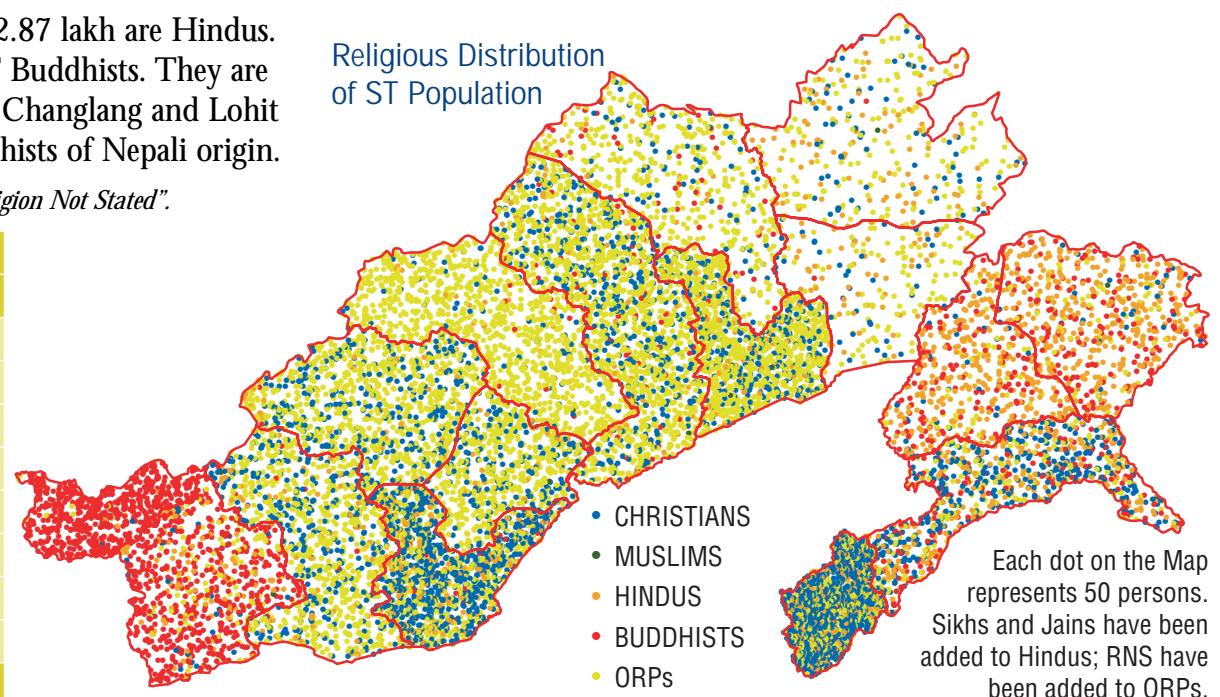
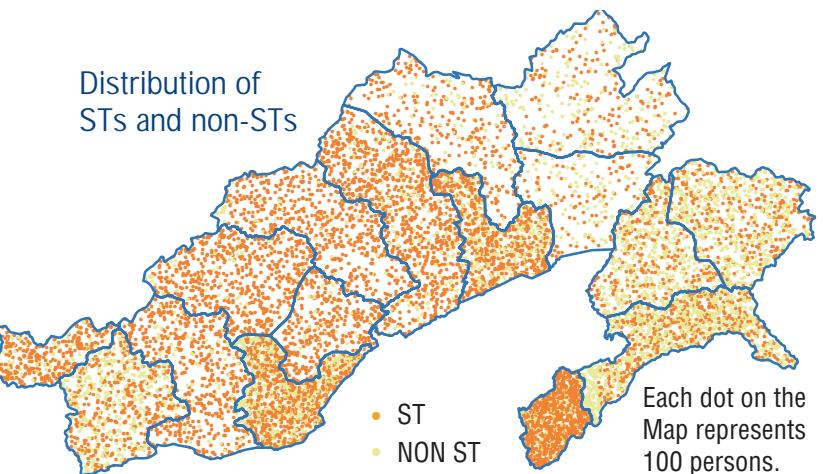
Jatinder Bajaj

Arunachal Pradesh: Religious Demography

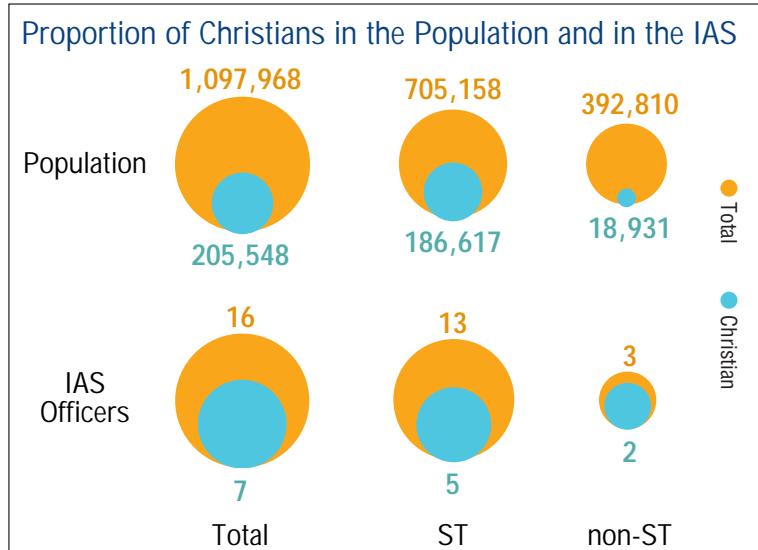
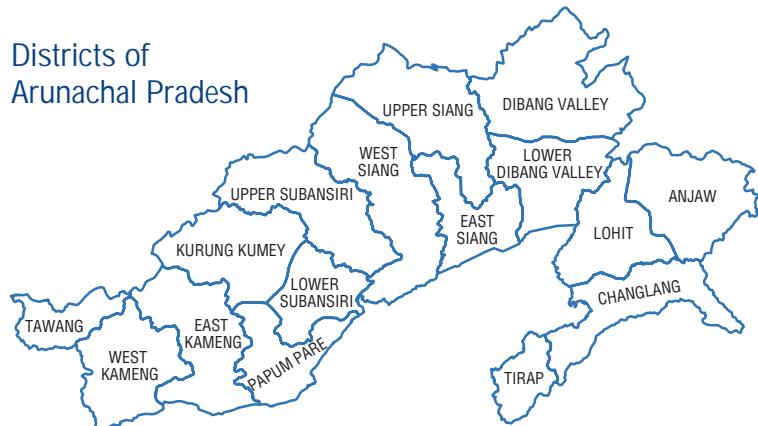
- Population of Arunachal Pradesh (2001) is about 11 lakh persons; among these, more than 7 lakhs are from the Scheduled Tribe (ST) communities. They form 64 percent of the total population.
- More than 47 percent of the ST population is counted as followers of Other Religions and Persuasions (ORPs). Of 3.33 lakhs persons counted under this category, nearly 3 lakh have given their religion as Doni Polo or Sidonyi Polo. Christians form the next largest group among the ST population; more than 26% of the STs in the state are Christian. Of the rest, about 13% are Hindus and 12% Buddhist.
- There are also a few Jains and Sikhs among the STs; one of the former happens to be an IAS officer of Arunachal Pradesh domicile.
- Of 3.92 lakh non-ST people in the State, 2.87 lakh are Hindus. There are also about 60 thousand non-ST Buddhists. They are mostly Chakmas who have been settled in Changlang and Lohit districts; there are also some non-ST Buddhists of Nepali origin.

Note: RNS in the Table below and elsewhere stands for "Religion Not Stated".

Religious Demography of Arunachal Pradesh			
	Total	ST	non-ST
Christians	205,548	186,617	18,931
Muslims	20,675	995	19,680
Hindus	379,935	92,577	287,358
Sikhs	1,865	93	1,772
Jains	216	28	188
Buddhists	143,028	82,634	60,394
ORPs	337,399	333,102	4,297
RNS	9,302	9,112	190
Total	1,097,968	705,158	392,810



IAS Officers of Arunachal Pradesh Domicile



Number of IAS Officers of Arunachal Pradesh Domicile						
	All		Direct		Promoted	
	Total	Christians	Total	Christians	Total	Christians
All	16	7 (43.8%)	6	0	10	7 (70.0%)
ST	13	5 (38.5%)	6	0	7	5 (71.4%)

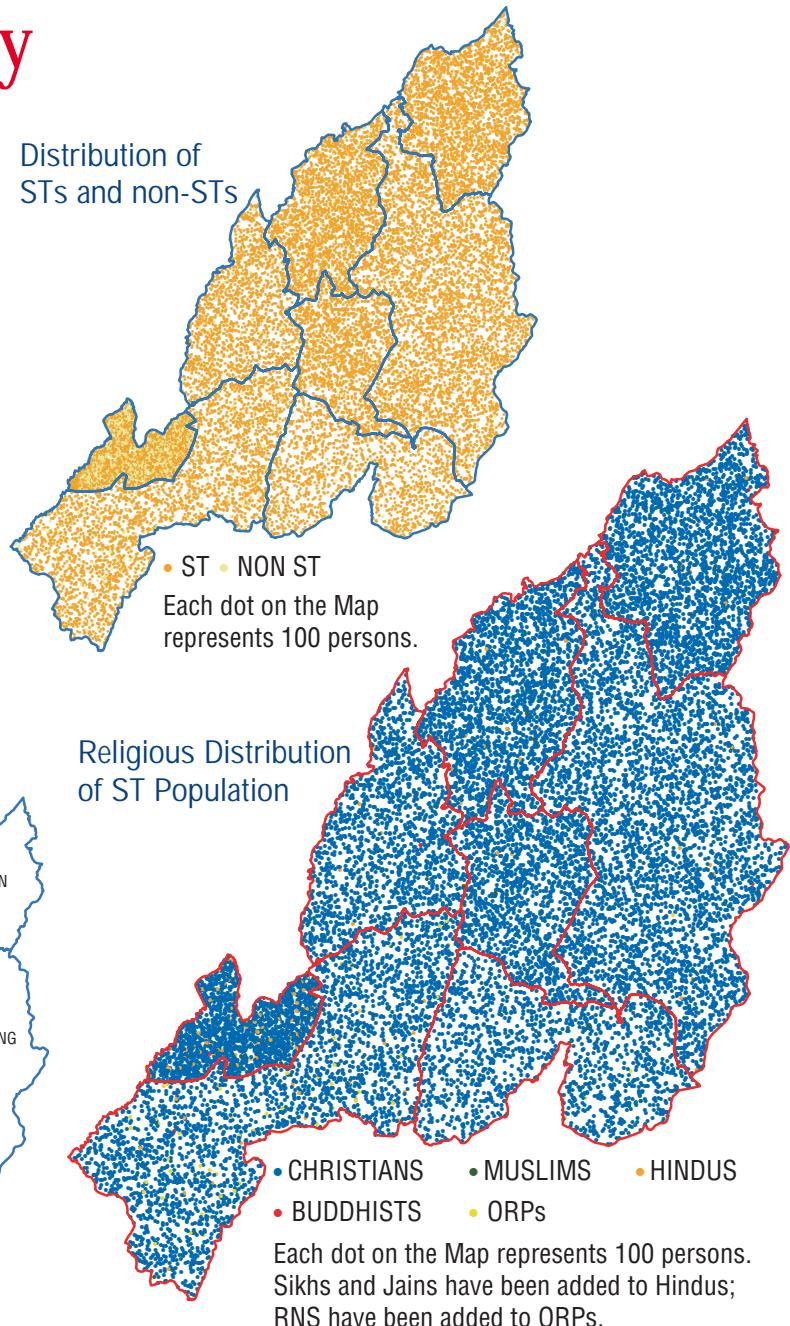
- In the Civil List (as on 01.01.2009), there are 16 officers who have been selected from Arunachal Pradesh. Among these, 7 are Christians. The proportion of Christians among Indian Administrative Service (IAS) officers of Arunachal Pradesh domicile at about 44 percent is thus more than double their proportion in the population at less than 20 percent.
- Of the 16 officers of Arunachal Pradesh domicile in the Civil List, 13 are from the STs. Representation of the STs in the services at 81 percent is thus more than their share in the population at 61 percent.
- Of the 16 officers from the State, 6 are directly recruited. All of them are from the STs; and, there is no Christian among them.
- On the other hand, of the 10 officers promoted from the State to the IAS, 7 are Christian. Of the 10 promoted officers, 7 are from the STs; and, 5 of them are Christian. Among the 3 non-ST promotees also there are 2 Christians.
- Thus while Scheduled Tribes from the state have fared rather well in the regular recruitment process, the promotions from the State Services are grossly skewed in favour of the Christians of both ST and non-ST origin.



Nagaland: Religious Demography

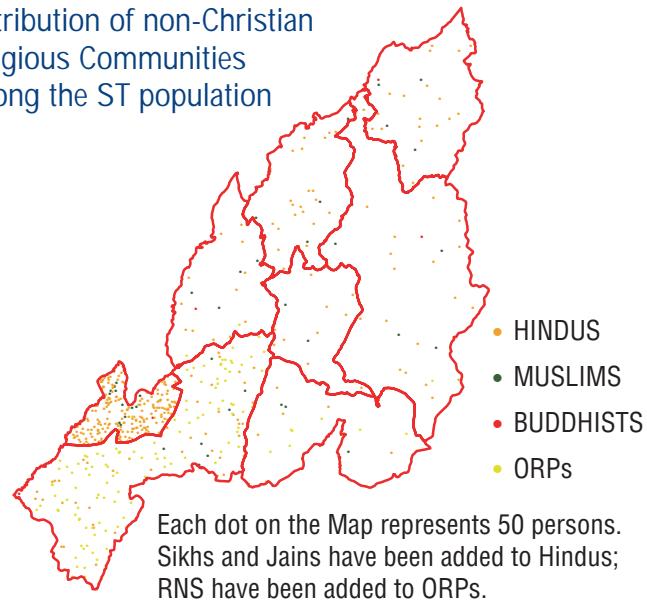
- Population of Nagaland (2001) is 19.9 lakh; of this, 17.7 lakh are from ST communities. STs form 89 percent of the population.
- Of the ST population in Nagaland, 98.5 percent is Christian.
- Unlike in Arunachal Pradesh, where nearly half of the STs are counted as ORPs, there are less than 6 thousand ORP persons, forming one third of a percent of the ST population, in Nagaland. ORP numbers are significant only among the few ST communities that have relatively low spread of Christianity.
- There are only 26.8 thousand persons of religions other than Christianity among the STs of Nagaland. Among them, there are about 17 thousand Hindus, forming less than 1 percent of the ST population; about 6 thousand ORPs; and, about 2 thousand Muslims. There are only 424 Buddhists, and a few Sikhs and Jains in the ST population of the State.

Religious Demography of Nagaland			
	Total	ST	Non-ST
Christians	1,790,349	1,747,262	43,087
Muslims	35,005	2,127	32,878
Hindus	153,162	17,287	135,875
Sikhs	1,152	273	879
Jains	2,093	90	2,003
Buddhists	1,356	424	932
ORPs	6,108	5,994	114
RNS	811	569	242
Total	1,990,036	1,774,026	216,010

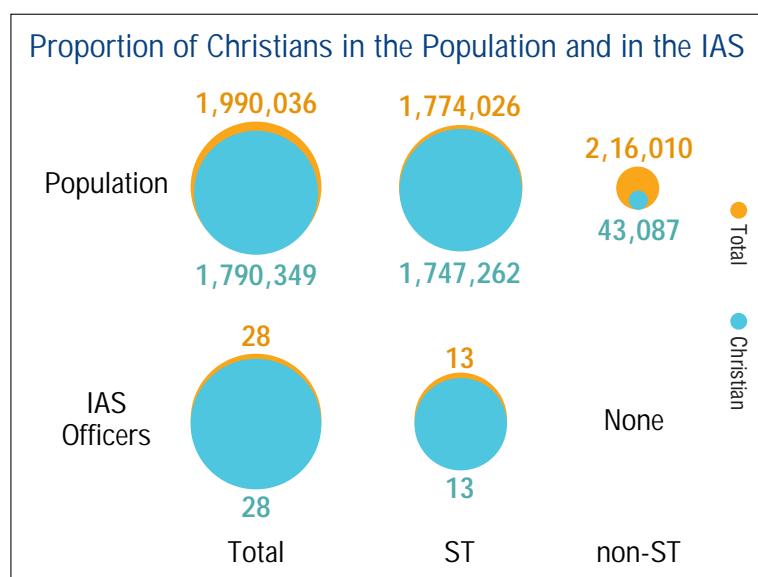


IAS Officers of Nagaland Domicile

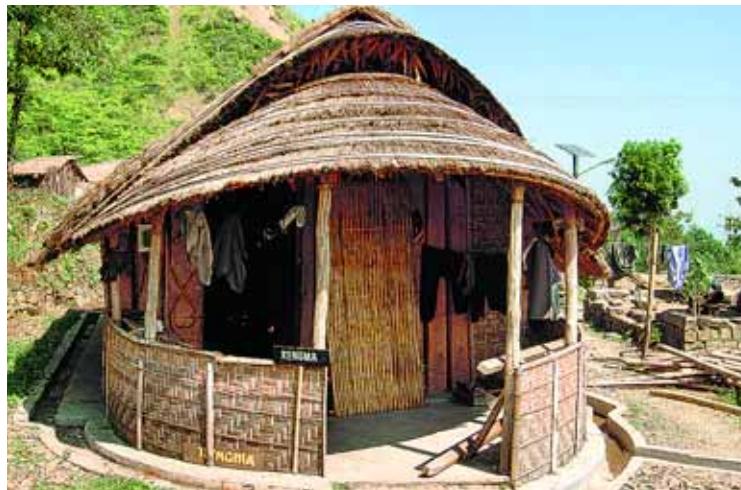
Distribution of non-Christian Religious Communities among the ST population



Proportion of Christians in the Population and in the IAS



- In the Civil List, there are 28 officers of Nagaland domicile. All 28 of these are from ST communities and all of them are Christians.
- There is thus no representation of about 10 percent non-Christian and non-ST population of the State in the Indian Administrative Service.
- Of the 28 officers of Nagaland domicile, 13 are directly recruited and 15 are promoted from the State Services. All officers in both categories are from the Scheduled Tribes and all are Christian.
- IAS Cadre of Nagaland, as distinct from the IAS of Nagaland domicile, has 52 officers; of these, 22 are of Nagaland domicile, all of them are Christian.



Number of IAS Officers of Nagaland Domicile

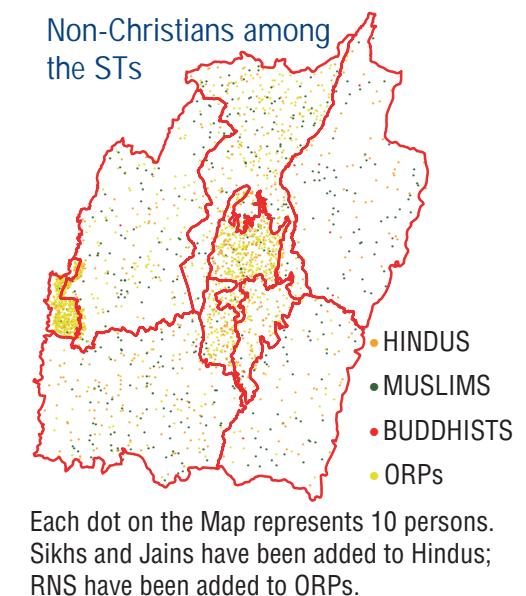
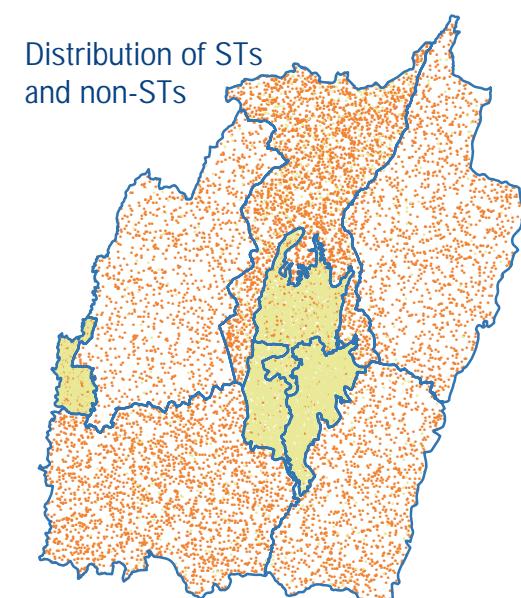
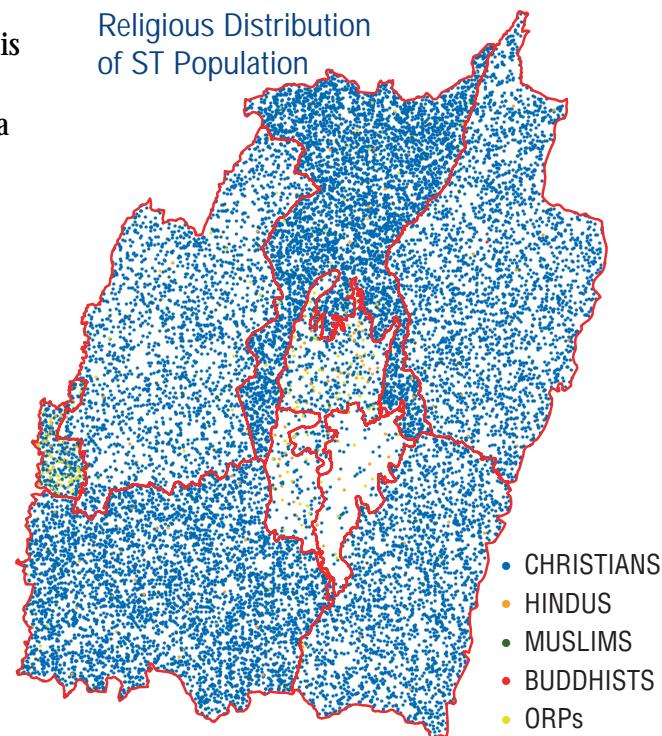
	All		Direct		Promoted	
	Total	Christians	Total	Christians	Total	Christians
All	28	28 (100%)	13	13 (100%)	15	15 (100%)
ST	28	28 (100%)	13	13 (100%)	15	15 (100%)

Manipur: Religious Demography

- Population of Manipur (2001) is 21.7 lakh; of these, 7.4 lakh are from the Scheduled Tribe communities. They form 35 percent of the total population.
- As is well known, STs are concentrated in the Hill districts of Manipur, where they form about or more than 90 percent of the population in every district. There are only a few ST persons in the four valley districts of Bishnupur, Thoubal, Imphal East and Imphal West. The four districts together, with a total population of about 14 lakh, have about 56 thousand STs.
- The ST population of Manipur is 97 percent Christian; there are only a few Christians in the non-ST population. Of the non-ST population, a significant proportion comprises of the followers of Other Religions and Persuasions (ORPs). About 2.2 lakh of non-STs are in this category; almost all of them are followers of Sanamahi sect, which is probably a Vaishnava sect particular to Manipur.

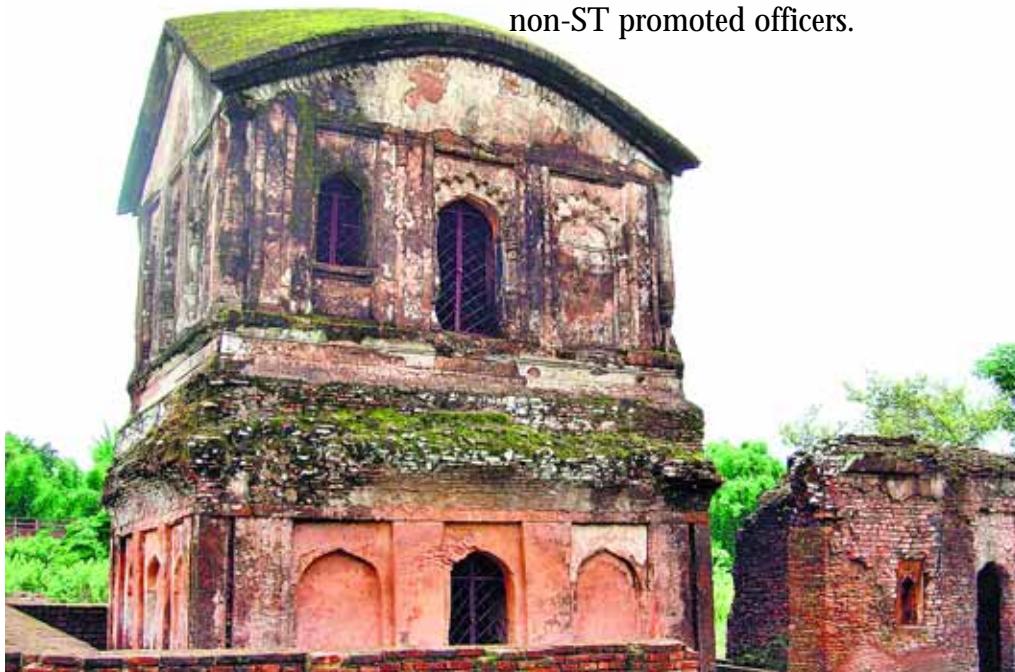
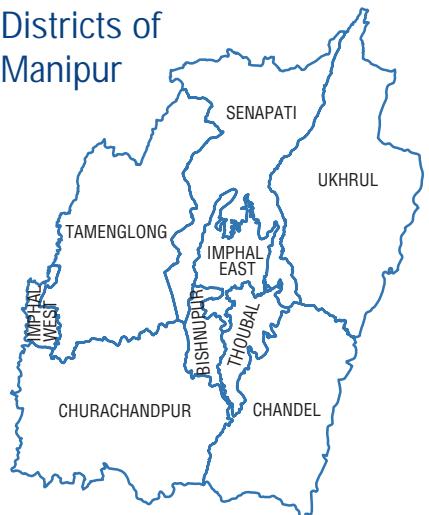
Religious Demography of Manipur			
	Total	ST	Non-ST
Christians	837,245	831,328	5,917
Muslims	191,456	4,135	187,321
Hindus	1,021,616	7,760	1,013,855
Sikhs	1,778	108	1,670
Jains	1,471	40	1,431
Buddhists	2,966	129	2,837
ORPs	236,098	12,669	223,429
RNS	1,266	620	645
Total	2,293,896	856,789	1,437,107

Note: Census 2001 did not give details of the population of 3 sub-divisions of Senapati District. We have assumed that the proportion of STs in the district is the same as in 1991 and the religious distribution of the population is as obtained in the limited count of 2001.

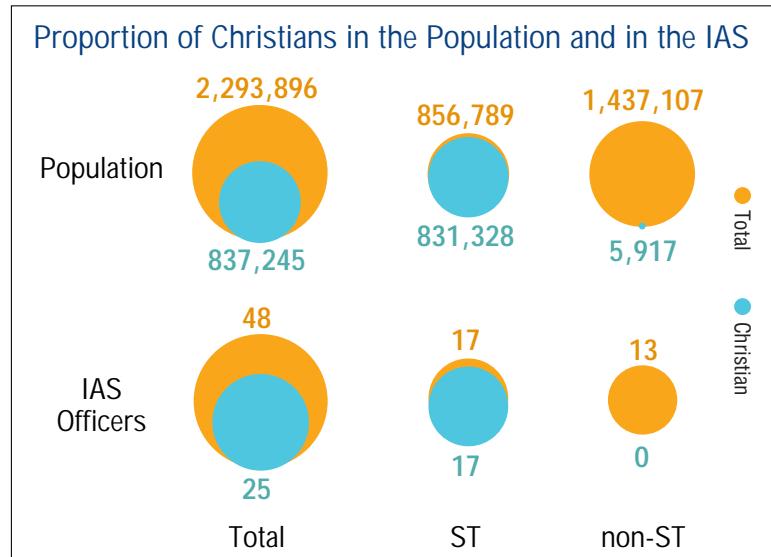


IAS Officers of Manipur Domicile

Districts of Manipur



- In the Civil List, there are 48 officers of Manipur domicile. Of them, 25 are from ST communities, and all of them are Christian. Thus, the proportion of STs in the IAS at 52 percent is considerably better than their proportion in the population at 37 percent; but all of the officers representing the STs in the IAS are those who have converted to Christianity.
- Of the 48 officers of Manipur domicile in the Civil List, 22 are directly recruited and 26 are promoted from the State Services. Among the 22 directly recruited officers, as many as 17 are Christians of ST origin. Among 26 promoted officers, there are 8 Christians of ST origin. Thus the proportion of STs among the promoted officers nearly corresponds to their proportion in the population, while they have a much higher representation among the directly recruited officers.
- There are also 2 Muslims among the 18 non-ST promoted officers.

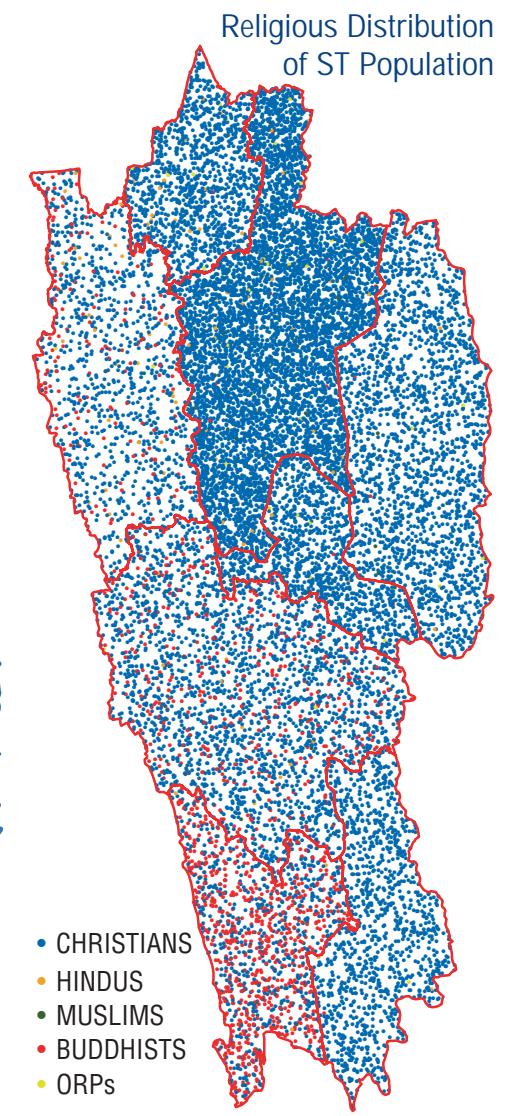
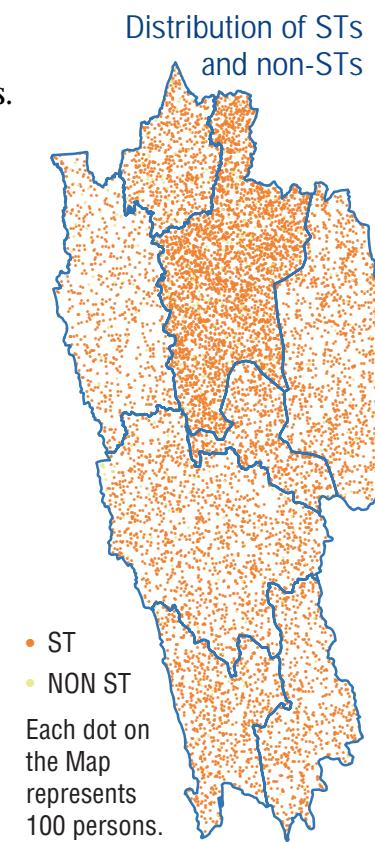


Number of IAS Officers of Manipur Domicile						
	All		Direct		Promoted	
	Total	Christians	Total	Christians	Total	Christians
All	48	25 (52%)	22	17 (77%)	26	8 (31%)
ST	25	25 (100%)	17	17 (100%)	8	8 (100%)

Mizoram: Religious Demography

- Population of Mizoram (2001) is 8.9 lakh; of these, 8.4 lakh persons are from the STs. There are less than 50 thousand non-STs in the State; they form only about 5.5 percent of the population.
- Of 8.4 lakh persons of Scheduled Tribe origin in the State, as many as 7.6 lakh are Christians; they form 90.5 percent of the ST population.
- Of the remaining about 80 thousand STs, nearly 70 thousand are Buddhists; their number in 1991 was 52 thousand. They are located mainly in the south-western districts of Lawngtlai and Lunglei; there are 38 thousand Buddhists in Lawngtlai and 22 thousand in Lunglei. Nearly all of the Buddhists, except for about a thousand Lushais, are Chakmas.
- There are only a few Hindus and ORPs among the STs. Yet, there are 1,826 ST Muslims. There are also 77 ST Sikhs and 156 ST Jains.
- More than a quarter of the non-ST population also comprises of Christians. Hindus form about 54 percent of this small group, and Muslims about 17 percent.

Religious Demography of Mizoram			
	Total	ST	Non-ST
Christians	772,809	759,782	13,027
Muslims	10,099	1,826	8,273
Hindus	31,562	5,114	26,448
Sikhs	326	77	249
Jains	179	156	23
Buddhists	70,494	69,441	1,053
ORPs	2,443	2,368	75
RNS	661	546	115
Total	888,573	839,310	49,263

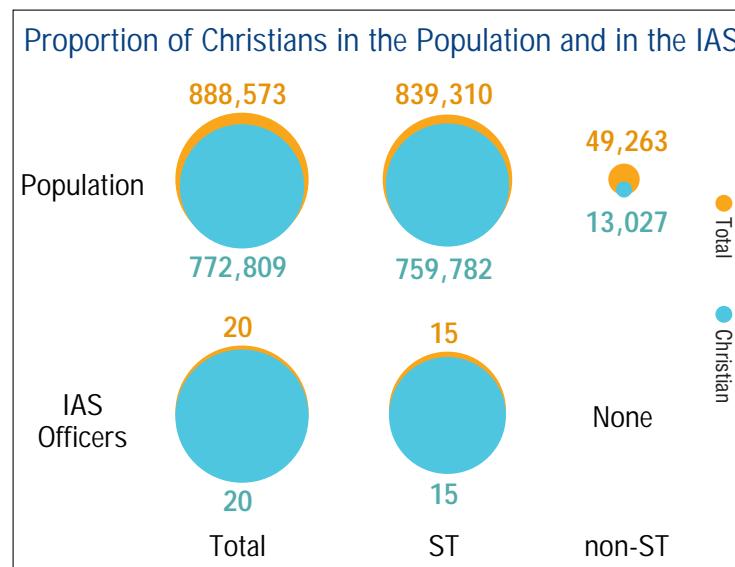
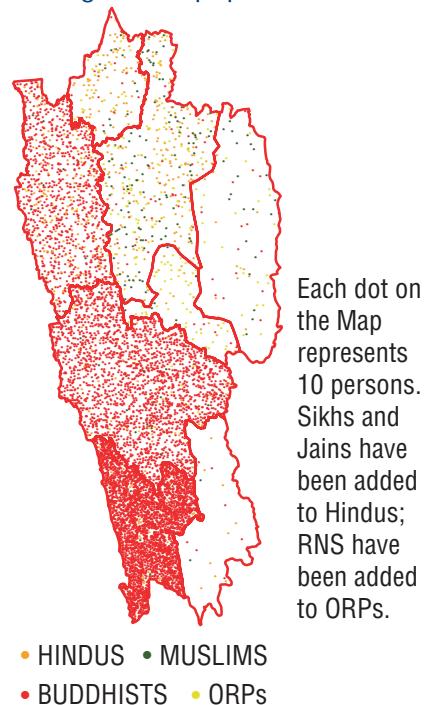


Each dot on the Map represents 50 persons. Sikhs and Jains have been added to Hindus; RNS have been added to ORPs.

IAS Officers of Mizoram Domicile

- In the Civil List as on January 1, 2009, there are 20 officers of Mizoram domicile. And, as in Nagaland, all 20 of them are Christians of Scheduled Tribes origin.
- Of the 20 officers of Mizoram domicile in the Civil List, 15 are directly recruited and 5 are promoted from the State Services. All officers in both categories are Christians of Scheduled Tribes origin.
- There is no representation in the IAS of the Buddhists, who form more than 8 percent of the Scheduled Tribes population of the State. They do not find a place in the list of IAS officers of Mizoram domicile; neither as direct recruits, nor as promotees.

Distribution of non-Christian Religious Communities among the ST population



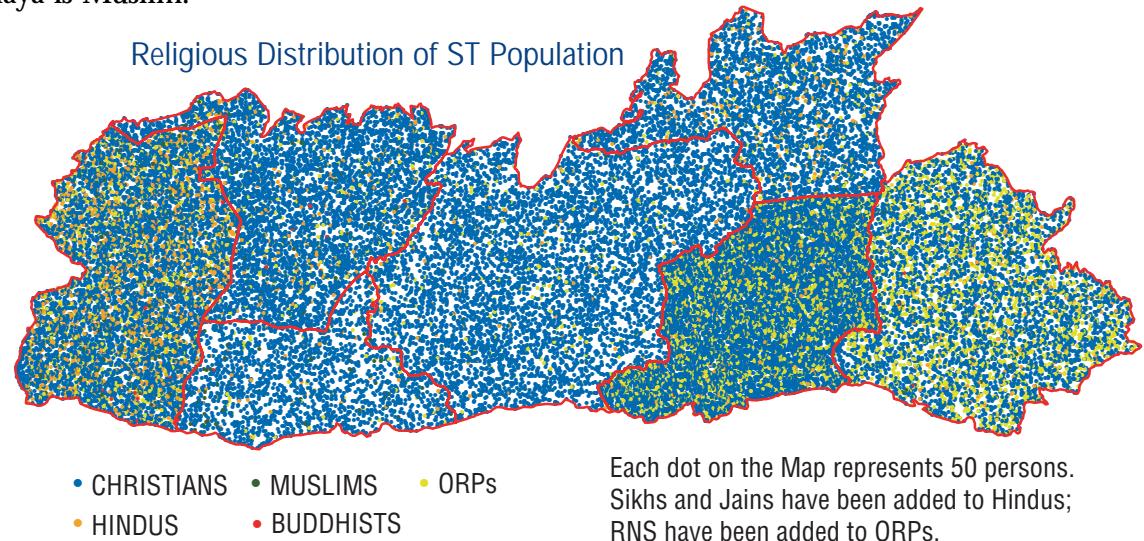
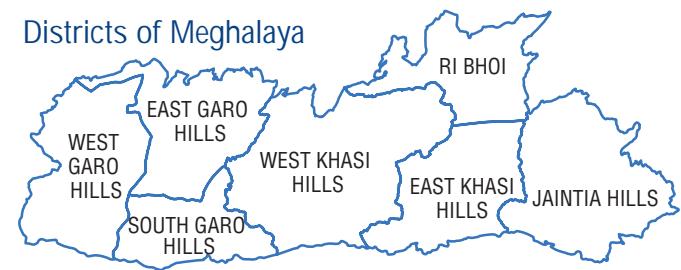
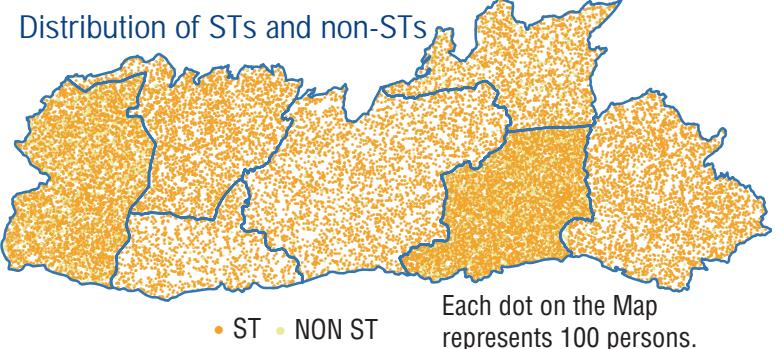
Number of IAS Officers of Mizoram Domicile						
	All		Direct		Promoted	
	Total	Christians	Total	Christians	Total	Christians
All	20	20 (100%)	15	15 (100%)	5	5 (100%)
ST	20	20 (100%)	15	15 (100%)	5	5 (100%)



Meghalaya: Religious Demography

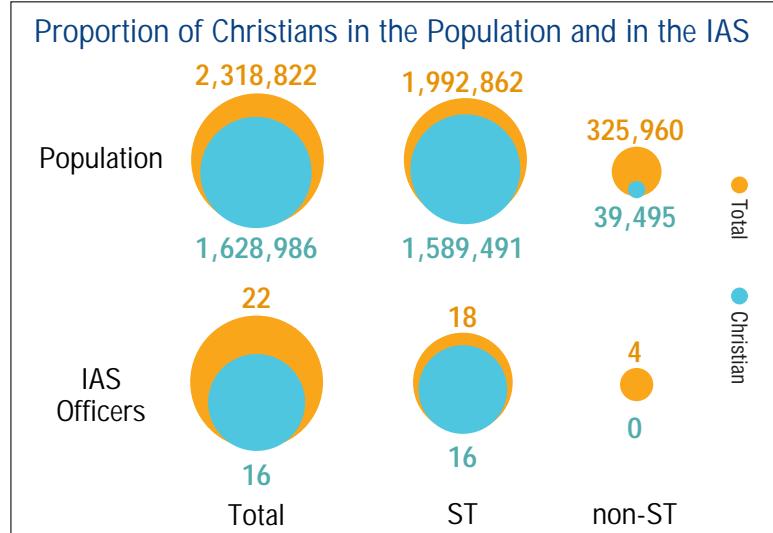
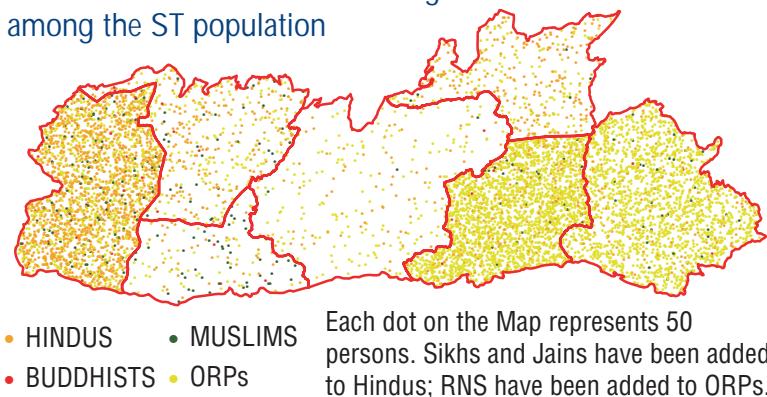
- Population of Meghalaya (2001) is 23.2 lakh; of these, nearly 20 lakh are from the Scheduled Tribe communities. There are about 3.25 lakh non-ST persons in the state, forming about 14 percent of the total population.
- Christianisation of the Scheduled Tribes in Meghalaya so far has not been as total as in Nagaland, Manipur and Mizoram. But the proportion of Christians in the ST population has been rising rapidly over the last few decades. In 2001, nearly 16 lakh of about 20 lakh STs are Christians. The proportion of Christians among persons of ST origin is nearly 80 percent.
- Among about 4 lakh non-Christian STs, almost two-thirds are ORPs and about one-third Hindus. Of 2.63 lakh ST ORPs in the State, 1.2 lakh are counted as followers of Khasi religion, about 0.8 lakh of Niamtre and about 0.5 lakh of Songasarek. Remarkably, in the Northeast, ORPs have a significant presence only in Arunachal Pradesh and Meghalaya, the two States where Christianisation of the STs remains incomplete.
- A quarter of the Non-ST population of Meghalaya is Muslim.

Religious Demography of Meghalaya			
	Total	ST	Non-ST
Christians	1,628,986	1,589,491	39,495
Muslims	99,169	13,105	86,064
Hindus	307,822	118,011	189,811
Sikhs	3,110	333	2,777
Jains	772	339	433
Buddhists	4,703	2,249	2,454
ORPs	267,245	263,010	4,235
RNS	7,015	6,324	691
Total	2,318,822	1,992,862	325,960



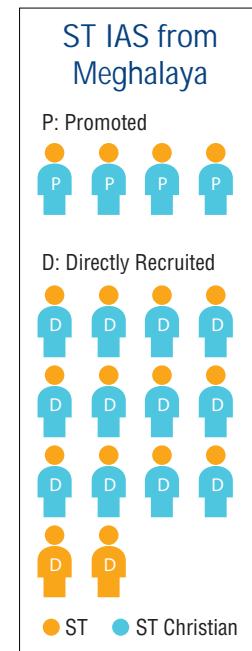
IAS Officers of Meghalaya Domicile

Distribution of non-Christian Religious Communities among the ST population



Number of IAS Officers of Meghalaya Domicile						
	All		Direct		Promoted	
	Total	Christians	Total	Christians	Total	Christians
All	22	16 (73%)	17	12 (71%)	5	4 (80%)
ST	18	16 (89%)	14	12 (86%)	4	4 (100%)

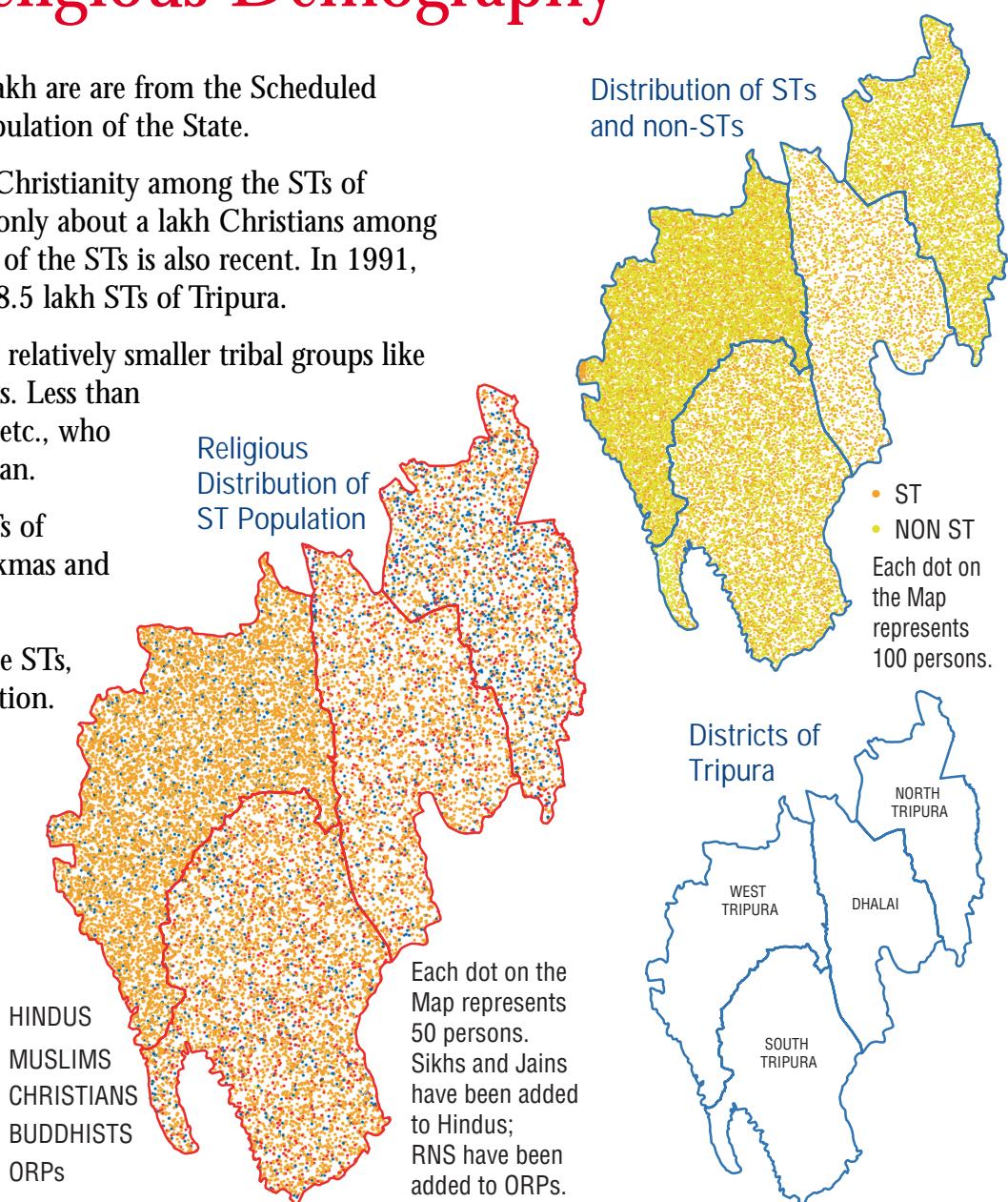
- In the Civil List, there are 22 officers of Meghalaya domicile. Of these, 18 are from the Scheduled Tribes. Their share in the IAS officers from the State is 82 percent; this is slightly below the ST share in the population at 86 percent.
- Of the 18 ST officers in the Civil List, 16 are Christians. Christian share in the Service is thus somewhat better than their share in the ST population.
- Of the 22 officers of Meghalaya domicile in the Civil List, 17 are directly recruited and 5 are promoted from the State Services. Among the directly recruited officers, 14 are from the Scheduled Tribes and 12 of them are Christian. Among the 5 promoted officers, 4 are of ST origin, and all of them are Christian.
- Thus there are only 2 ST officers from Meghalaya, who are not Christians, and both of them have been selected through the regular recruitment process.



Tripura: Religious Demography

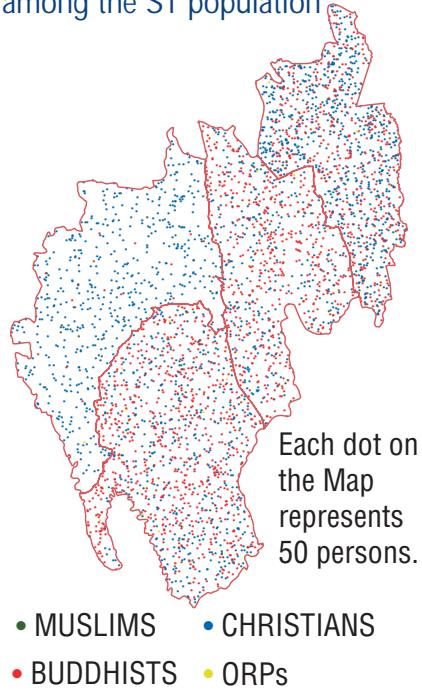
- Population of Tripura (2001) is 32 lakh; of these 9.9 lakh are from the Scheduled Tribes. The STs thus form about 31 percent of the population of the State.
- Unlike in other States of the Northeast, the spread of Christianity among the STs of Tripura, as also of Assam, has been limited. There are only about a lakh Christians among 10 lakh STs of the State. This level of Christianisation of the STs is also recent. In 1991, there were only about 42 thousand Christians among 8.5 lakh STs of Tripura.
- The proportion of Christians is particularly high in the relatively smaller tribal groups like the Lushais, Garos, Jamatias, Kukis, Halams and Riangs. Less than 5 percent of the STs of the main tribal group –Tripura etc., who form more than half of the STs of Tripura – are Christian.
- There are about 95 thousand Buddhists among the STs of Tripura. About 62 thousand of the Buddhists are Chakmas and another 29 thousand are Mags.
- There are only about 2.4 thousand Muslims among the STs, but they form about 10 percent of the non-ST population.

Religious Demography of Tripura			
	Total	ST	Non-ST
Christians	102,489	98,971	3,518
Muslims	254,442	2,356	252,086
Hindus	2,739,310	796,020	1,943,290
Sikhs	1,182	43	1,139
Jains	477	112	365
Buddhists	98,922	94,980	3,942
ORPs	1,277	713	564
RNS	1,104	231	873
Total	3,199,203	993,426	2,205,777

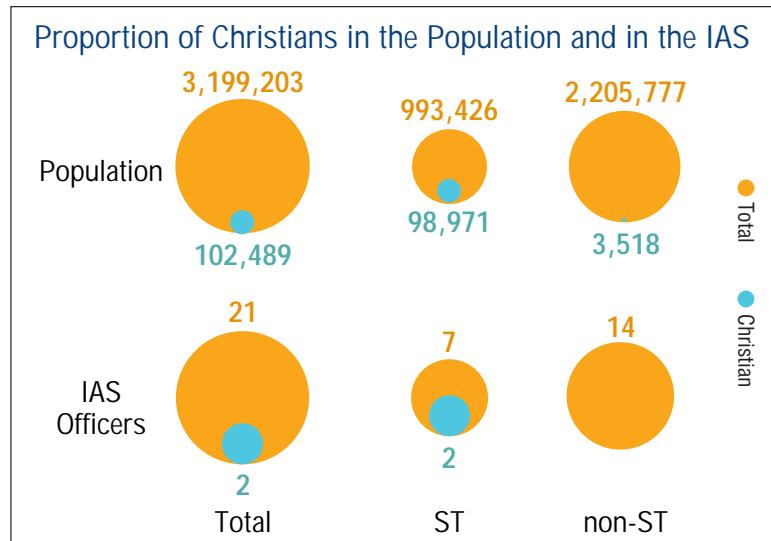
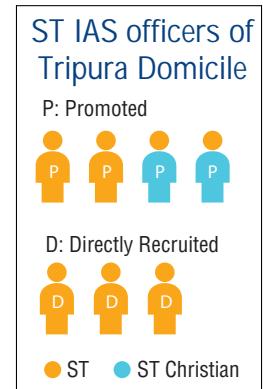


IAS Officers of Tripura Domicile

Distribution of non-Hindu Religious Communities among the ST population



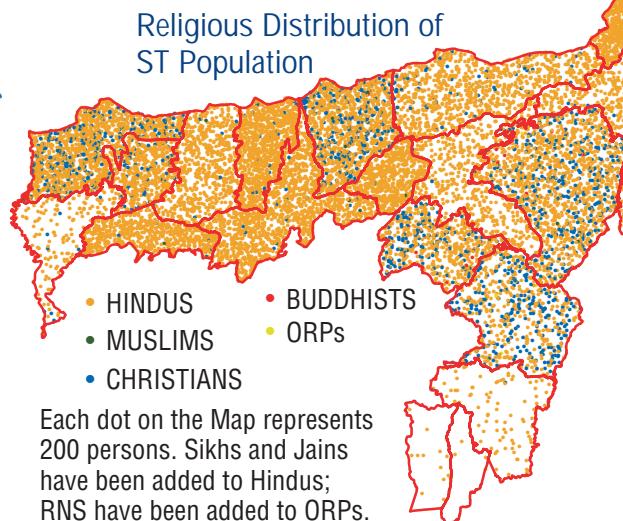
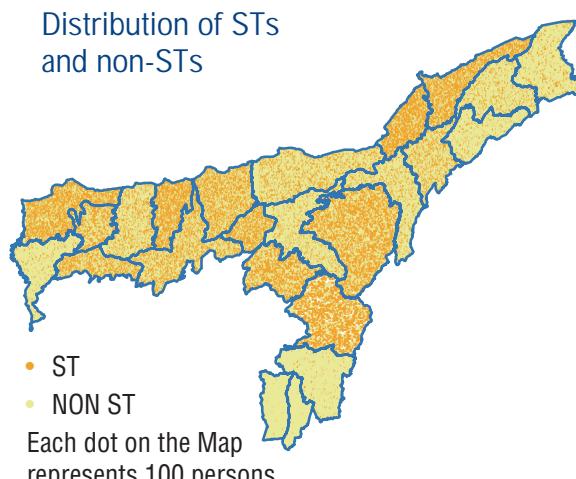
- In the Civil List, there are 21 IAS officers of Tripura domicile. Of these, 7 are from the Scheduled Tribes. Their share in the IAS of Tripura domicile, at about one third of the total, is almost exactly equal to their share in the population.
- Of the 7 ST officers, 2 are Christian. The Christian share among the ST officers is thus nearly three times their share of less than 10 percent in the ST population.
- Of the 21 officers of Tripura domicile, only 3 are directly recruited. All 3 of the directly recruited officers are from the STs and none of them is a Christian.
- Of the 18 officers promoted from the State Services, 4 are from the Scheduled Tribes and 2 of them are Christians.
- It may be noticed that the number of officers of Tripura domicile is low as a proportion of the population, when compared with other northeastern States that we have looked at till now. It seems that those States of the Northeast that have a high proportion of Christians have a distinctly higher representation in the IAS. We shall have more to say about this phenomenon later.



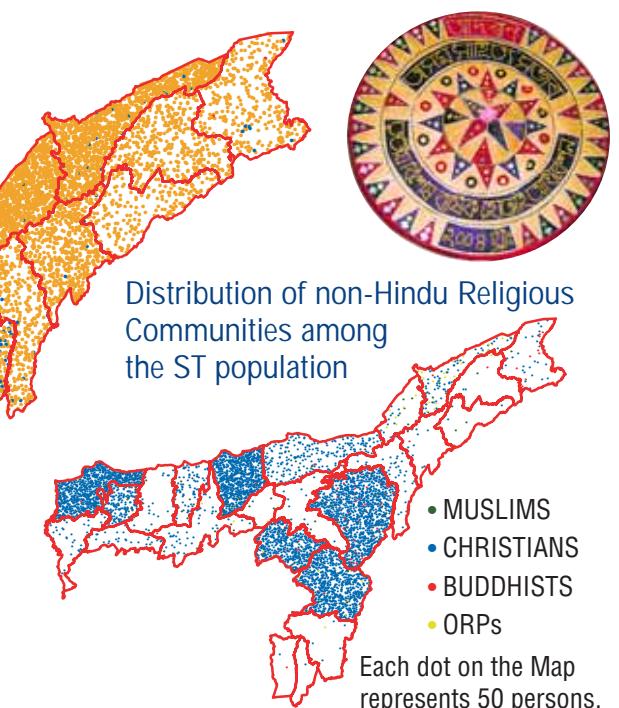
Number of IAS Officers of Tripura Domicile						
	All		Direct		Promoted	
	Total	Christians	Total	Christians	Total	Christians
All	21	2 (9.5%)	3	0	18	2 (11%)
ST	7	2 (29%)	3	0	4	2 (50%)

Assam: Religious Demography

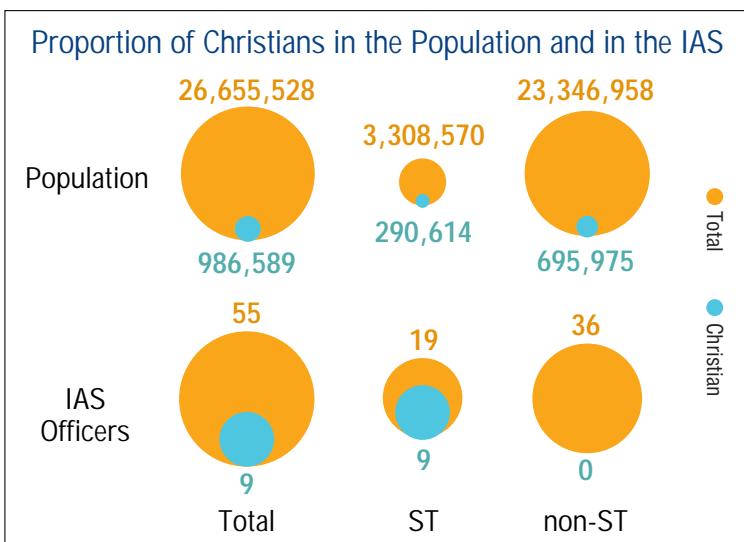
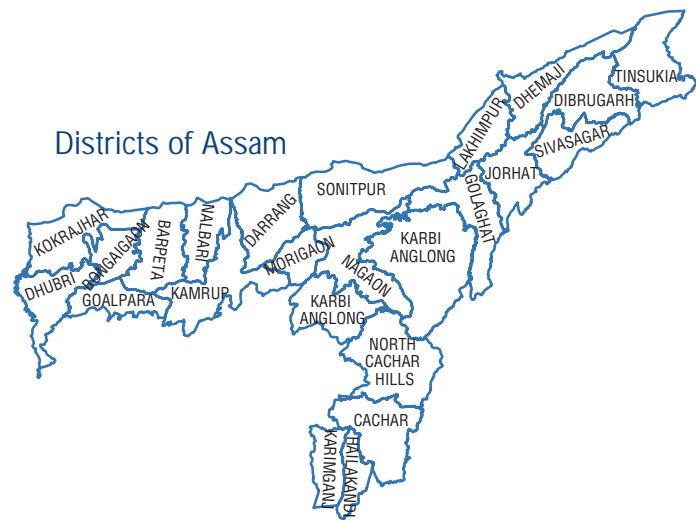
- STs have a share of only 12 percent in the population of Assam. But their absolute number is large at 33 lakh; they form nearly one-third of all STs of the Northeast.
- As in Tripura, the spread of Christianity among the STs of Assam has been limited. There are only about 3 lakh Christians among 33 lakh STs of the State. In 1991, there were about 2 lakh Christians among about 29 lakh STs.
- The proportion of Christians is high in the smaller tribal groups of the State, like the Garos, Khasis, Kukis, Hmars, Mizos and Nagas. These groups in Assam are predominantly Christian. Of the Mikirs, about 15 percent are Christian. Among the Boros, the largest tribal group of the State, about 9 percent are Christian. There are hardly any Christians among the fairly large groups of Miris, Kacharis and Rabhas.
- Of 33 lakh STs, 30 lakh are Hindus; most of the remaining 3 lakh are Christians. There are only a few Buddhists, Sikhs, Jains and ORPs among them.
- In the non-ST population of Assam, there are about 7 lakh Christians and about 82 lakh Muslims. Muslims form 35 percent of the non-ST population of the state.



Religious Demography of Assam			
	Total	ST	Non-ST
Christians	986,589	290,614	695,975
Muslims	8,240,611	6,267	8,234,344
Hindus	17,296,455	3,001,799	14,294,656
Sikhs	22,519	188	22,331
Jains	23,957	107	23,850
Buddhists	51,029	5,153	45,876
ORPs	22,999	3,574	19,425
RNS	11,369	868	10,501
Total	26,655,528	3,308,570	23,346,958

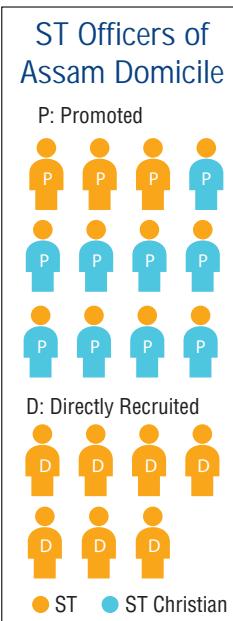


IAS Officers of Assam Domicile



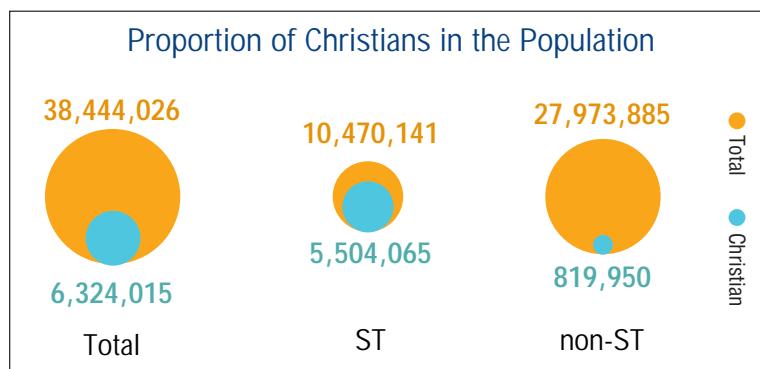
Number of IAS Officers of Assam Domicile						
	All		Direct		Promoted	
	Total	Christians	Total	Christians	Total	Christians
All	55	9 (16%)	20	0	35	9 (26%)
ST	19	9 (47%)	7	0	12	9 (75%)

- In the Civil List, there are 55 officers of Assam domicile. Of these, 19 are from the Scheduled Tribes. Their share among the IAS officers from the State is about 35 percent, which is 3 times the share of STs in the population.
- Of the 19 ST officers, 9 are Christian. They thus form 47 percent of the ST officers from the State; this is five times the Christian share in the ST population of Assam.
- Of the 55 officers of Assam domicile in the Civil List, 20 are directly recruited; among them, 7 are from the Scheduled Tribes and none of them is a Christian.
- Among the 35 officers promoted from the State Services, 12 are from the Scheduled Tribes and 9 of them are Christians. The Christians thus have an abnormally high share among the promoted officers of ST origin.
- As in Tripura, the number of IAS officers from Assam is low relative to the population in comparison with the other 5 States of the Northeast. The number of officers per lakh of population is very high in the latter States.

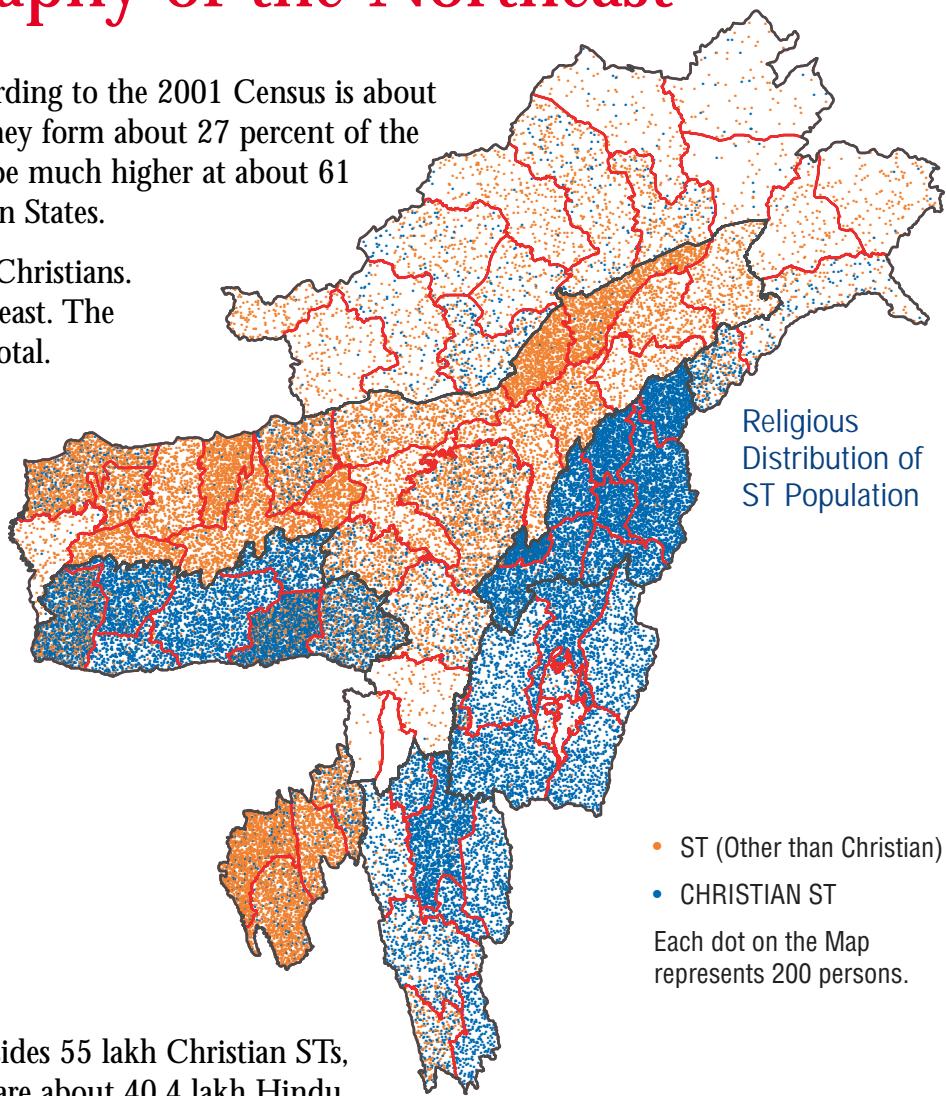


Religious Demography of the Northeast

- The total population of the seven States of the Northeast according to the 2001 Census is about 384 lakh. Of these, 105 lakh are from the Scheduled Tribes; they form about 27 percent of the population of the region. The proportion of STs turns out to be much higher at about 61 percent, if we exclude Assam from the total of the Northeastern States.
- Among the 105 lakh ST people of the Northeast, 55 lakh are Christians. Christians form 53 percent of the ST population of the Northeast. The proportion rises to 73 percent, if we exclude Assam from the total.



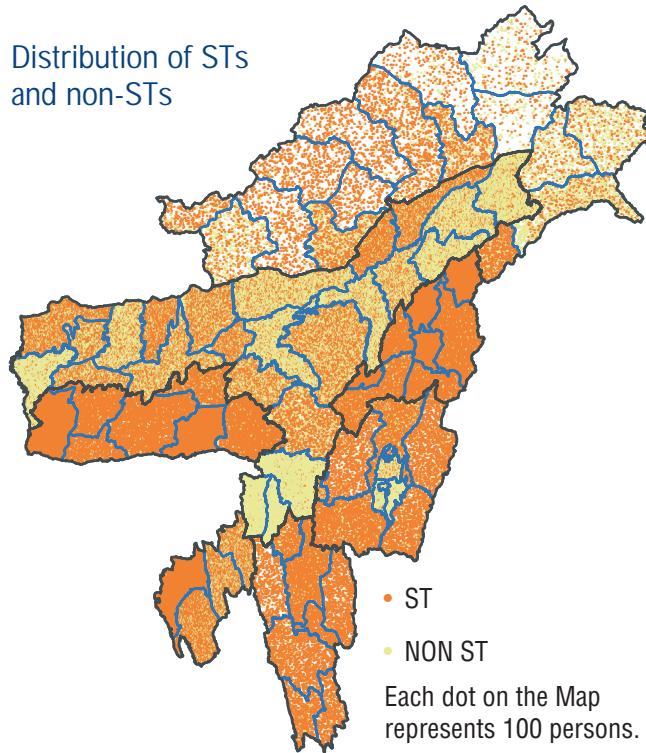
Religious Distribution of Northeast (incl. Assam)			
	Total	ST	Non-ST
Christians	6,324,015	5,504,065	819,950
Muslims	8,851,457	30,811	8,820,646
Hindus	21,929,862	4,038,568	17,891,293
Sikhs	31,932	1,115	30,817
Jains	29,165	872	28,293
Buddhists	372,498	255,010	117,488
ORPs	873,569	621,430	252,139
RNS	31,528	18,270	13,257
Total	38,444,026	10,470,141	27,973,885



- Besides 55 lakh Christian STs, there are about 40.4 lakh Hindu STs in the Northeast; 38 lakh of them are in Assam and Tripura. There are only about 2.4 lakh Hindus in the remaining 5 States of the Northeast. Of these, 1.2 lakh are in Meghalaya and 0.92 lakh in Arunachal Pradesh. There are hardly any Hindus in the ST population of Nagaland, Manipur and Mizoram.

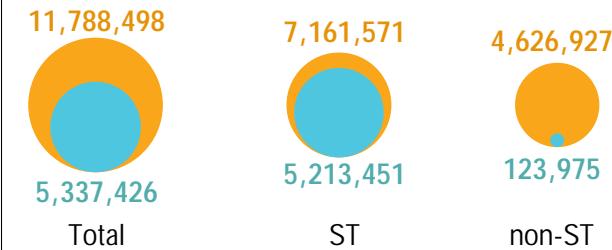
Religious Demography of the Northeast

Distribution of STs and non-STs



- There are also 6.2 lakh Scheduled Tribe persons belonging to Other Religions and Persuasions (ORPs) in the Northeast. Of these 3.3 lakh are in Arunachal Pradesh and 2.6 lakh in Meghalaya. These are the two States where the process of Christianisation of the Scheduled Tribes is going on at a rapid pace, but is not yet complete. There are few ORPs among the STs in other States of the Northeast.
- There are about 2.6 lakh Buddhists in the ST population of the Northeast. Of these, 95 thousand are in Tripura, 83 thousand in Arunachal Pradesh and 69 thousand in Mizoram. These three States thus account for almost all of the Buddhist STs.
- There are a few Sikhs and Jains among the STs in all of the Northeastern States.
- In the non-ST population of the Northeast, there are less than 3 percent Christians; of 280 lakh non-STs in the region, only 8 lakh are Christians. But, there are nearly 88 lakh non-ST Muslims; of them 82 lakh are in Assam. There are less than 6 lakh Muslims in the rest of Northeast.
- There are also about 1.2 lakh Buddhists and 2.3 lakh ORPs in the non-ST population. Of the non-ST Buddhists, 60 thousand are in Arunachal Pradesh and 46 thousand in Assam. Nearly all of the non-ST ORPs are the Sanamahis of Manipur.

Proportion of Christians in the Population of the Northeast (excl. Assam)



Religious Distribution of NE (excl. Assam)

	Total	ST	Non-ST
Christians	5,337,426	5,213,451	123,975
Muslims	610,846	24,544	586,302
Hindus	4,633,407	1,036,769	3,596,637
Sikhs	9,413	927	8,486
Jains	5,208	765	4,443
Buddhists	321,469	249,857	71,612
ORPs	850,570	617,856	232,714
RNS	20,159	17,402	2,756
Total	11,788,498	7,161,571	4,626,927

IAS from the Northeastern States

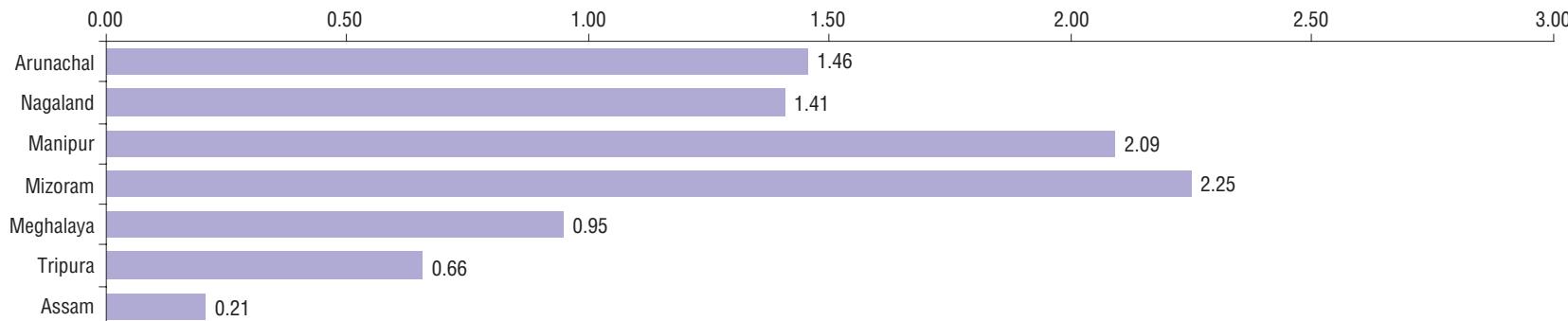
- The Table below gives a summary of the population of the Northeastern States, the number and proportion of Scheduled Tribes in the population, and the number and proportion of Christians among the Scheduled Tribes. The Table also gives the number of IAS officers from these States, the number of officers belonging to the Scheduled Tribes among them, and the number of Christians among the latter.
- The graphs on the opposite page show the number of IAS officers per lakh of population in different States, and compare this with the number of ST IAS officers per lakh of the Scheduled Tribes population, and also the number of Christian IAS officers of Scheduled Tribes origin per lakh of the population of Christian Scheduled Tribes.
- As we have noticed earlier, the number of IAS officers per lakh of population is distinctly lower in Assam and Tripura, which have relatively lower presence of STs and rather low proportion of Christians among them; and the number is the highest in Manipur and Mizoram, where almost the whole of the ST population has become Christian.
- The graphs also indicate that the number of officers per lakh of the ST population is much higher compared to the number of non-ST officers per lakh of the non-ST population in all of the Northeastern States; the difference is rather stark in Tripura and Assam, where the proportion of STs in the population is low, and the number of non-ST persons is fairly large. The STs from the Northeast have a distinctly better chance of getting into the IAS than others; as we shall see later, they fare much better than the STs from other regions of the country.
- And, Christians among the STs of the Northeast have a much higher chance of getting into the IAS than the STs in general. The difference between the ST and Christian-ST officers per lakh of their respective population does not seem large in Nagaland, Manipur and Mizoram, because there are hardly any non-Christian STs there. But in Arunachal Pradesh, Tripura and Assam, where there is significant proportion of non-Christian STs, the difference between the opportunities available to the converted and non-converted is extremely stark. In fact, excepting in Arunachal Pradesh, non-converted STs in the region seem to have a very low chance of getting into the IAS. The Christian STs of the Northeast are clearly getting extraordinarily high opportunities to get into the elite Service; this is largely at the cost of non-Christian STs of other regions of the country as we see in the following.

Number of IAS Officers from the Northeastern States									
STATE	Distribution of Population					Number of IAS			
	Total	ST	C-ST	%ST	%C-ST	Total	ST	C-ST	
Arunachal P.	1,098	705	187	64.2	26.5	16	13	5	
Nagaland	1,990	1,774	1,747	89.1	98.5	28	28	28	
Manipur	2,294	857	831	37.4	97.0	48	25	25	
Mizoram	889	839	760	94.5	90.5	20	20	20	
Meghalaya	2,319	1,993	1,589	85.9	79.8	22	18	16	
Tripura	3,199	993	99	31.1	10.0	21	7	2	
NE excl Assam	11,788	7,162	5,213	60.8	72.8	155	111	96	
Assam	26,656	3,309	291	12.4	8.8	55	19	9	
NE TOTAL	38,444	10,470	5,504	27.2	52.6	210	130	105	

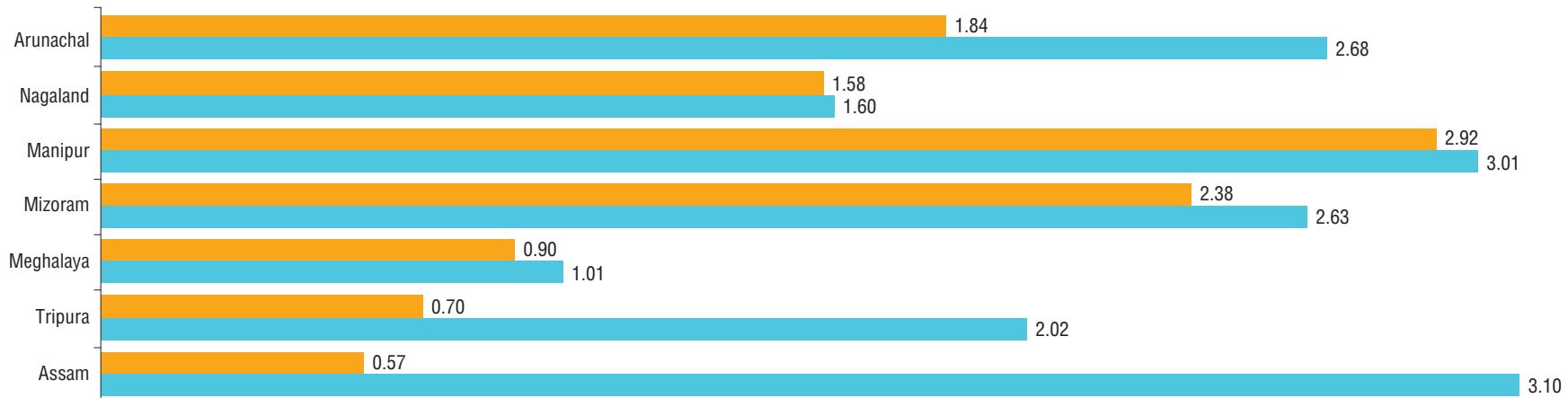
Population figures are in thousands. C-ST: Christian Scheduled Tribes persons.

IAS from the Northeastern States

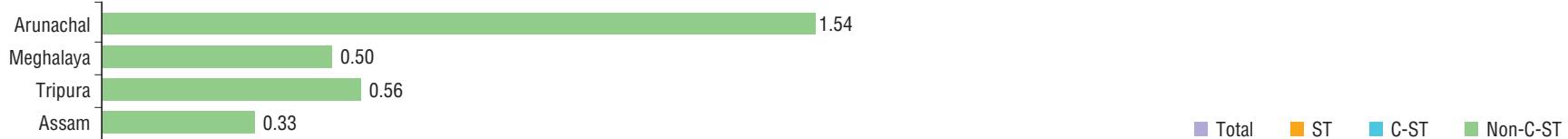
Number of IAS Officers per lakh of total population



ST-IAS Officers and Christian ST-Officers per lakh of their respective population.

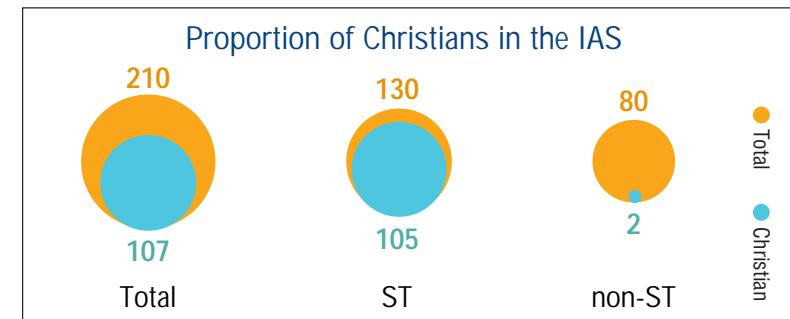
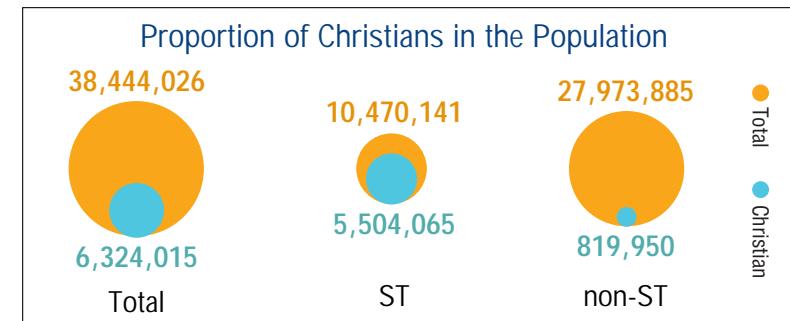


Non-Christian ST-Officers per lakh of Non-Christian ST population

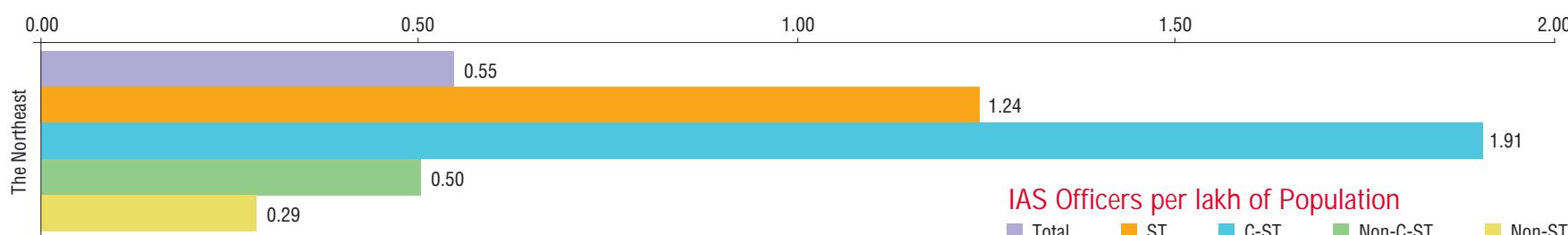


IAS of the Northeast (including Assam) Domicile

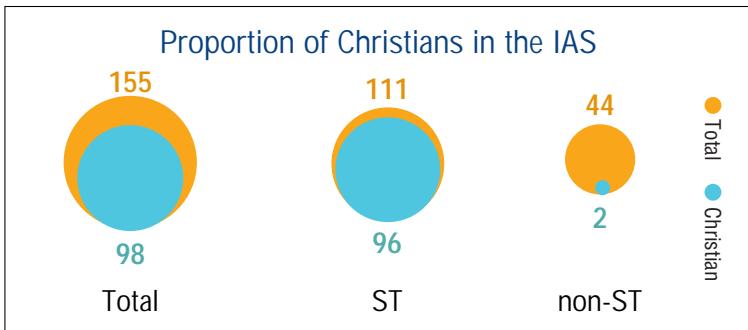
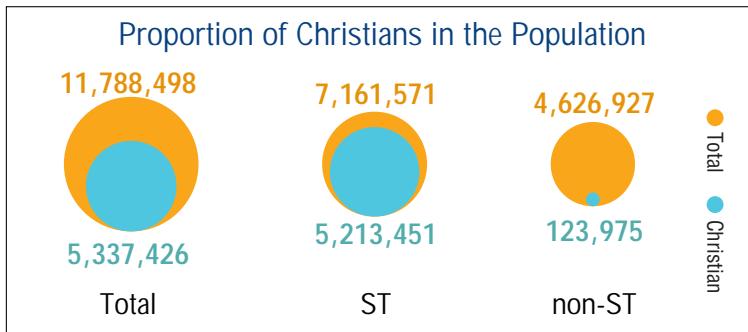
- As seen in the graph below, the share of the seven States of the Northeast in the Civil List amounts to 0.55 officers per lakh of their population on the average, which is about one-third higher than the national average of 0.40. The share of STs from the Northeast is, however, more than 3 times the national average, at 1.24 officers per lakh of their population.
- This may be interpreted as discrimination in favour of the STs of the region. Indeed there are 130 ST officers among the total of 210 officers of Northeastern domicile. Their share of about 62 percent in the Service is much better than the share of 27 percent that they have in the population of the region. This discrimination in favour of STs is shown graphically in the chart below; there are 1.24 officers per lakh of the ST population in the region, while the ratio for the non-ST population is 0.29 per lakh.
- But, this discrimination in favour of the STs is skewed strongly towards the Christian STs. Among 130 ST officers from the region, as many as 105 are Christian. Christian ST officers thus form 81 percent of all ST officers from the region. The proportion of Christian STs in the ST population of the region is only 53 percent.
- The skewness in favour of Christian STs is seen even more strikingly in the chart below. There are 1.91 Christian ST officers from the region per lakh of their population, while the ratio for non-Christian STs is only 0.50 officers per lakh of the non-Christian ST population.



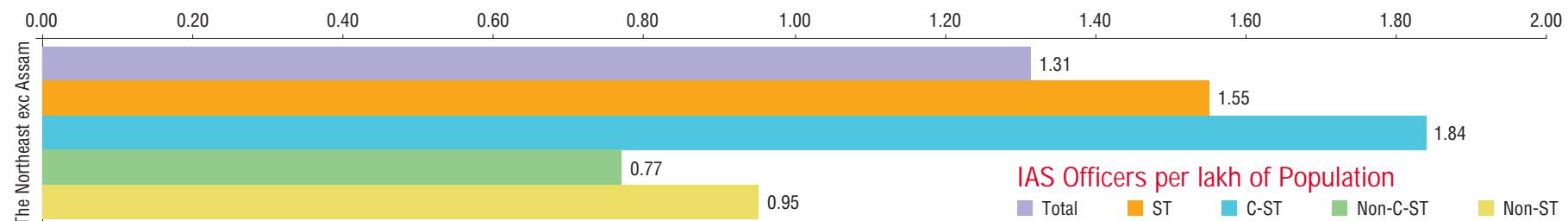
IAS of Northeast (including Assam) Domicile						
	All		Direct		Promoted	
	Total	Christians	Total	Christians	Total	Christians
All	210	107 (51%)	96	57 (59%)	114	50 (44%)
ST	130	105 (81%)	75	57 (76%)	55	48 (87%)



IAS of the Northeast (excluding Assam) Domicile



IAS of Northeast (excluding Assam) Domicile						
	All		Direct		Promoted	
	Total	Christians	Total	Christians	Total	Christians
All	155	98 (63%)	76	57 (75%)	79	41 (52%)
ST	111	96 (86%)	68	57 (84%)	43	39 (91%)

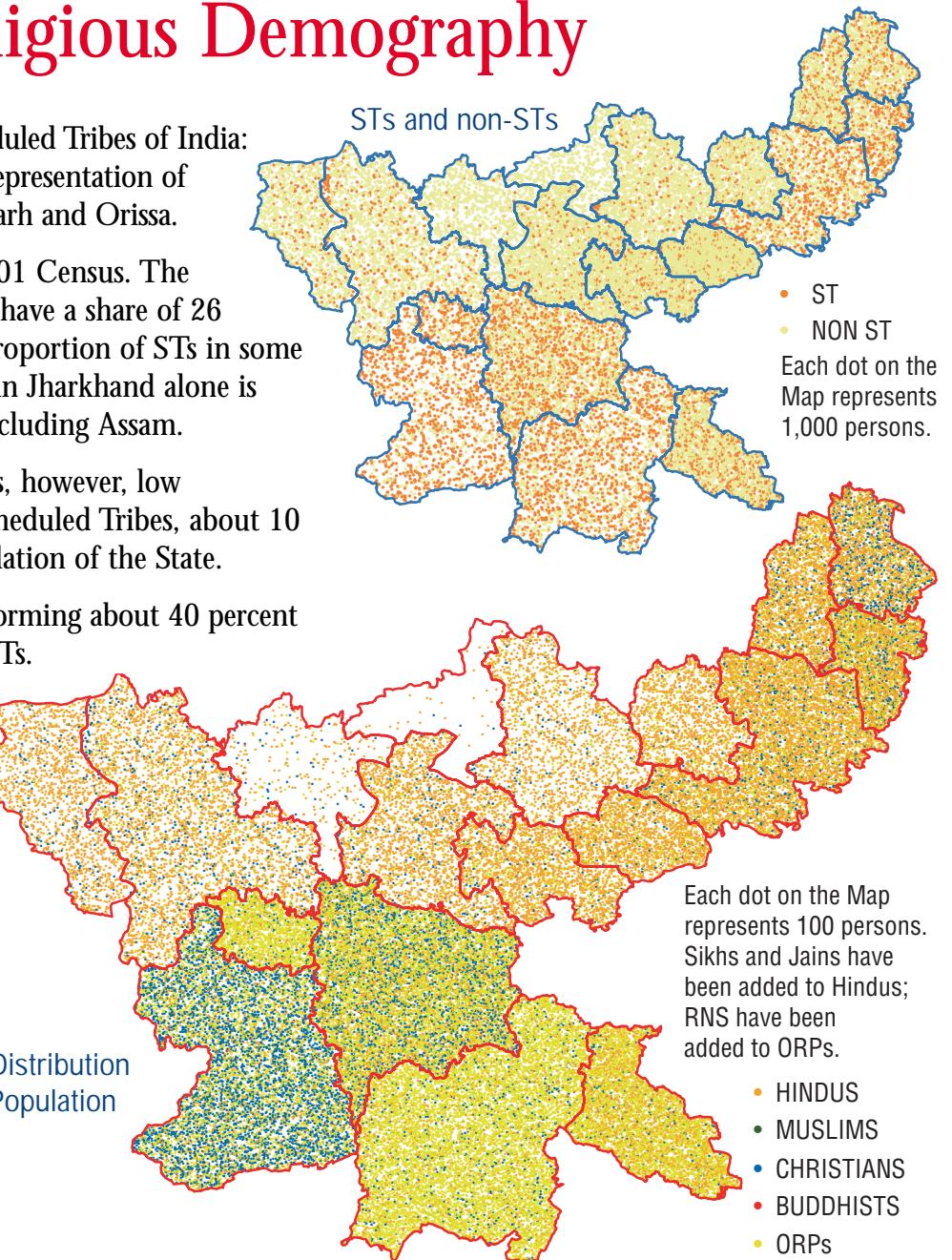


Jharkhand: Religious Demography

- We now look at the other great region inhabited by the Scheduled Tribes of India: the Central India; and, study the religious demography and representation of STs in three of the States in the region, Jharkhand, Chhattisgarh and Orissa.
- Jharkhand has a population of 269 lakh according to the 2001 Census. The population of Scheduled Tribes in the state is 71 lakh. They have a share of 26 percent in total population; which is low compared to the proportion of STs in some of the Northeastern States. But the absolute number of STs in Jharkhand alone is almost equal to the total ST population of the Northeast, excluding Assam.
- The proportion of Christians among the STs of Jharkhand is, however, low compared to the Northeast. Of 71 lakh persons from the Scheduled Tribes, about 10 lakh are Christians. They form 14.5 percent of the ST population of the State.
- In the remaining ST population, there are 28 lakh Hindus, forming about 40 percent of the STs, and 32 lakh ORPs, who form 45 percent of the STs.
- Of about 199 lakh non-STs in the State, 157 lakh are Hindus and 37 lakh Muslims. There are few Christians in the non-ST population.

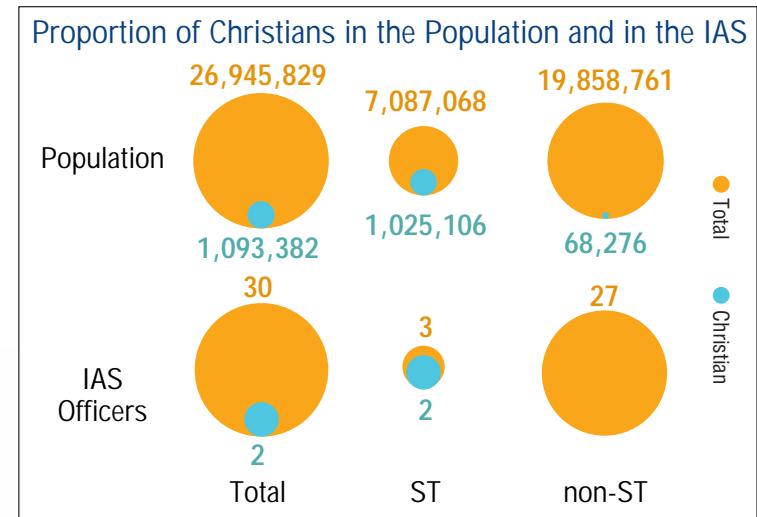
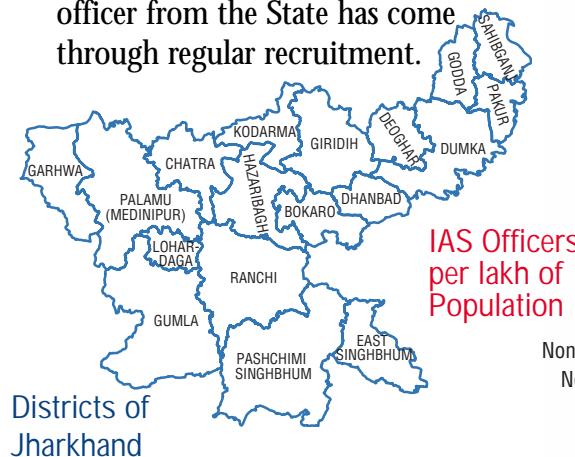
Religious Demography of Jharkhand			
	Total	ST	Non-ST
Christians	1,093,382	1,025,106	68,276
Muslims	3,731,308	27,394	3,703,914
Hindus	18,475,681	2,818,366	15,657,315
Sikhs	83,358	2,417	80,941
Jains	16,301	320	15,981
Buddhists	5,940	2,008	3,932
ORPs	3,514,472	3,197,979	316,493
RNS	25,387	13,478	11,909
Total	26,945,829	7,087,068	19,858,761

Religious Distribution
of the ST Population

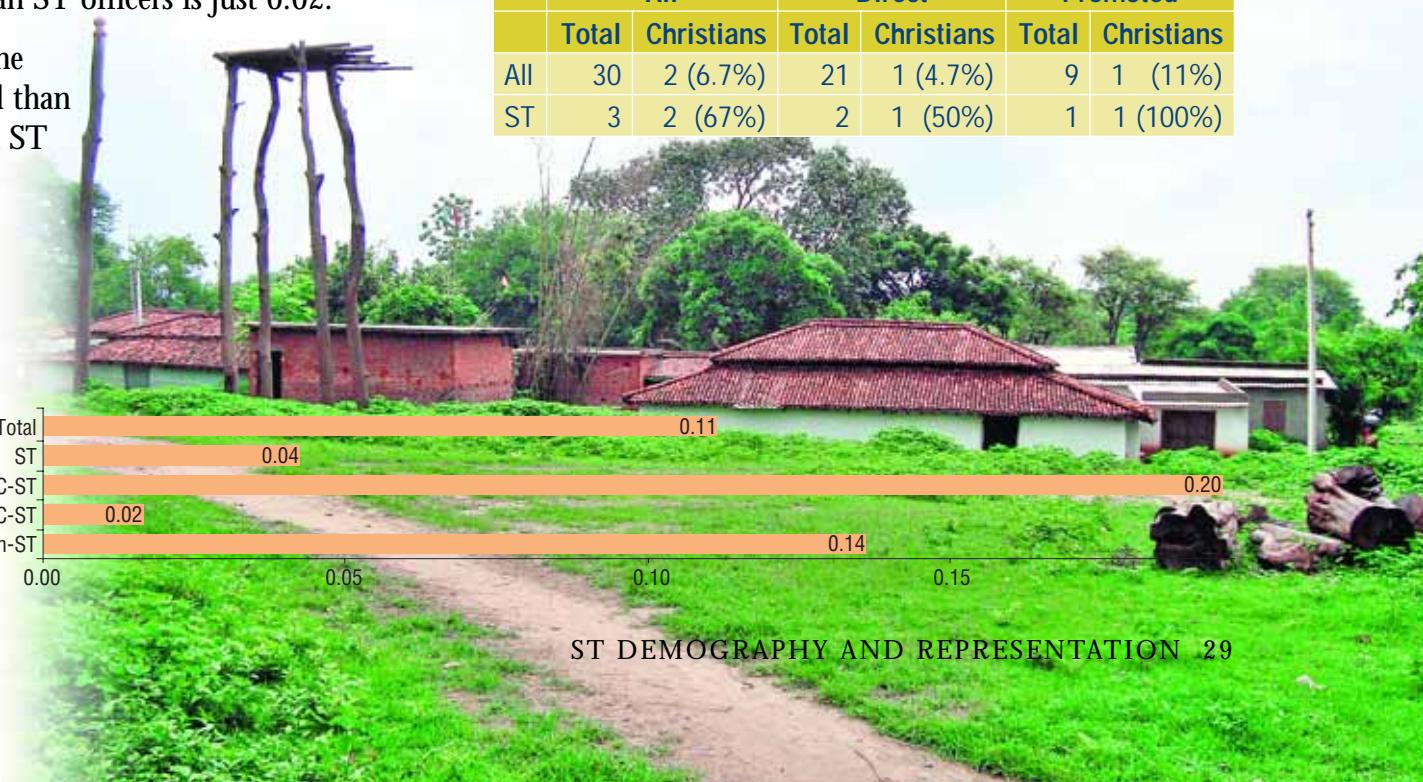


IAS Officers of Jharkhand Domicile

- The number of STs in Jharkhand is about 71 lakh; there are 72 lakh STs in the whole of Northeast excluding Assam. The number of IAS officers among the latter is 111; and the number of ST IAS officers in Jharkhand is 3.
- Of the 3 ST officers of Jharkhand domicile, 2 are Christian; there are less than 15 percent Christians in the ST population of the State. There are no Christians among the non-ST officers of Jharkhand domicile.
- As may be seen in the graph below, the people of Jharkhand in general and STs in particular are poorly represented in the IAS. There are only 0.11 officers of Jharkhand domicile for every 1 lakh of population; this is about a fourth of the average for the country. The ratio for the STs of Jharkhand is even worse at 0.04 ST IAS officers per lakh of the ST population.
- The ratio for the Christian STs in IAS is, however, 5 times that for the STs in general. There are 0.20 Christian ST officers for every lakh of their population; the ratio for the non-Christian ST officers is just 0.02.
- Number of IAS officers promoted from the State Services is much lower in Jharkhand than in the Northeast. The only non-Christian ST officer from the State has come through regular recruitment.



Number of IAS Officers of Jharkhand Domicile						
	All		Direct		Promoted	
	Total	Christians	Total	Christians	Total	Christians
All	30	2 (6.7%)	21	1 (4.7%)	9	1 (11%)
ST	3	2 (67%)	2	1 (50%)	1	1 (100%)



Jharkhand: Share of STs in the State Services

- We also have data on the Scheduled Tribes representation in some of the State Services of Jharkhand. In these Services, the STs are not as poorly represented as in the IAS, but the Christians among the STs take away a large part of the ST share.
- Of 719 officers of Jharkhand Administrative Service (JAS), 147 are from the STs. They form about 20 percent of the Cadre compared to their share of 26.3 percent in the population. But, among the 147 ST officers, as many as 94 are Christian. They account for 64 percent of the STs in the JAS, while their share in the ST population of the State is less than 15 percent. There are only 53 non-Christian ST officers in the whole JAS Cadre.
- In the gradation list of doctors of the Health and Family Welfare Department, there are a total of 1,571 doctors. Of them, 230 are from the STs; they form about 15 percent of the doctors in government service. Among these 230 ST doctors, 121 are Christian. The Christian share among the ST doctors is thus four times their share in the population.
- The PGMAT admission list of 2009 contains about 1,011 candidates. Among these 235 are from the Scheduled Tribes. The ST proportion is thus nearly equal to their share in the population. But of these 235 places, 132 are claimed by the Christian STs.
- Among the list of high school teachers and headmasters in Hazaribagh district, there are only 7 ST teachers in a total of 245; and, 5 of them are Christian. In Hazaribagh district, the share of STs in the population is about 12 percent and only about 7 percent of the STs are Christian. The situation in Hazaribagh is probably representative of the share of STs among the school teachers and headmasters of Jharkhand.
- Christians clearly occupy an excessively high share of the ST positions in the public services and other ST privileges in the State.

Share of STs and Christian STs in the State Services			
State Service	Total	ST	C-ST
Jharkhand Administrative Service	719	147 (20.4%)	94 (63.9%)
Doctors in the Health and Family Welfare Deptt.	1,571	230 (14.6%)	121 (52.6%)
PGMAT Admissions 2009	1,011	235 (23.2%)	132 (56.2%)
High School Teachers in Hazaribagh District	245	7 (2.9%)	5 (71.4%)

The percentage in the ST column is the share of STs in the Cadre, that in the C-ST column is the share of Christians in the ST officers.

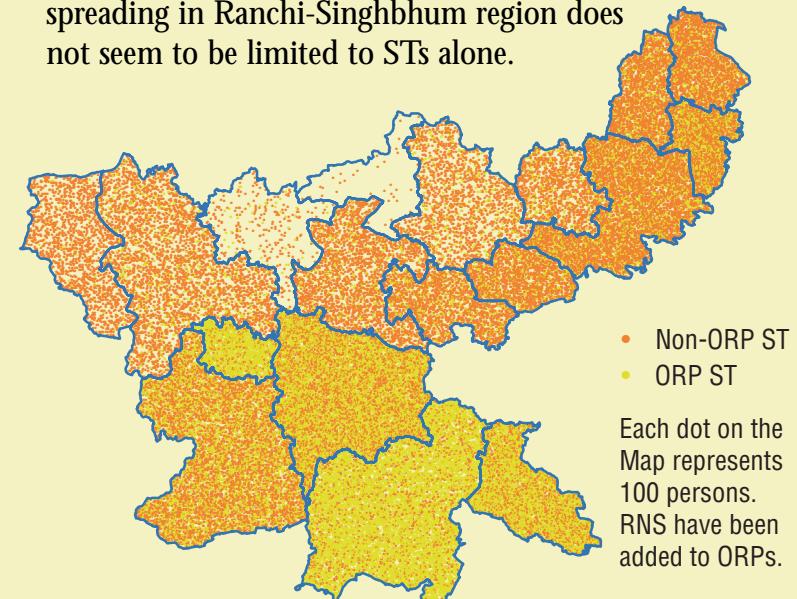


Jharkhand: The Share and Importance of Christians

- STs of Jharkhand have a relatively low share in the various State Services. Compared to their share of 23 percent in the population, they form 20 percent of the JAS officers, about 15 percent of the doctors and a much lower proportion of the teachers.
- More importantly, almost in all cases, about 60 percent or more of the ST share in various services is filled by Christians, who form only 4 percent of the total population, and about 14.5 percent of the ST population of the State.
- The importance of Christians in Jharkhand is underlined by the fact that the First Assembly, which was elected when the State was still part of Bihar, had 7 Christians elected from the 28 seats reserved for the Scheduled Tribes. Thus, they had a quarter of the ST seats, while their share in the ST-population is less than 15 percent. The Second Assembly, elected after the State was formed, had 12 ST Christians elected from the 28 ST seats; they thus occupied 43 percent of the ST seats, which is about 3 times their share in the ST population.
- The number of Christians in Jharkhand Assembly is also high in proportion to their share in the total population. Twelve Christian members in the 81 member house form 14.8 percent of the MLAs, which is 4 times their proportion in the population. In addition, the Assembly has one nominated Christian member.
- Christians thus have a much higher presence in the public services and public life of Jharkhand than their share in the population.
- Incidentally, there is no ST person among the 6 members of the Rajya Sabha from Jharkhand, and as many as 4 of the members elected from Jharkhand are from outside the State.

Religious Persuasions and Distribution of ORPs

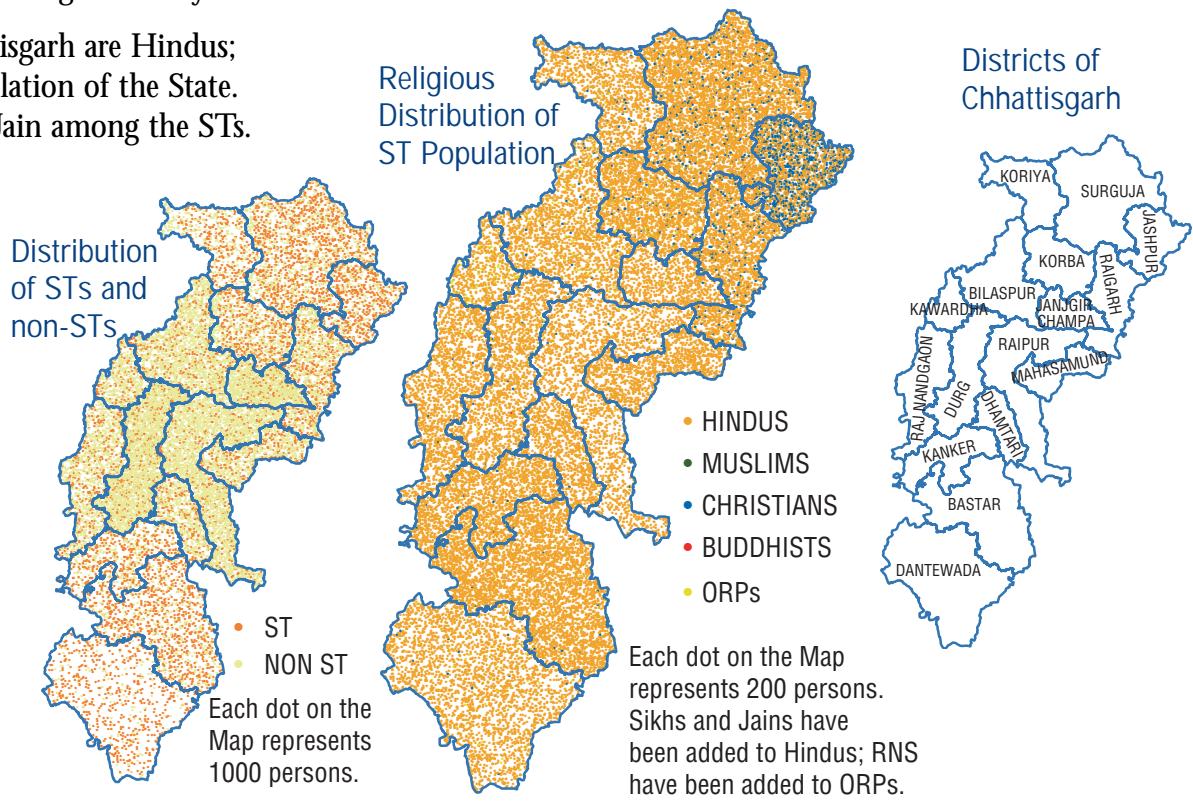
- As we have noticed, an extraordinarily large number of the STs of Jharkhand are followers of Other Religions and Persuasions (ORPs). The Scheduled Tribe ORPs of the state constitute more than half of all ST ORPs in the country.
- Of 32 lakh ST ORPs in Jharkhand, more than 31 lakh are Sarnas; 28 lakh of them are in the undivided Singhbhum and Ranchi districts.
- There are also about 27 thousand Muslims, 2 thousand Buddhists, 2 thousand Sikhs and a few Jains among the STs.
- There are more than 3 lakh ORPs among the non-STs also; almost all of them are Sarnas. The Sarna movement that is spreading in Ranchi-Singhbhum region does not seem to be limited to STs alone.



Chhattisgarh: Religious Demography

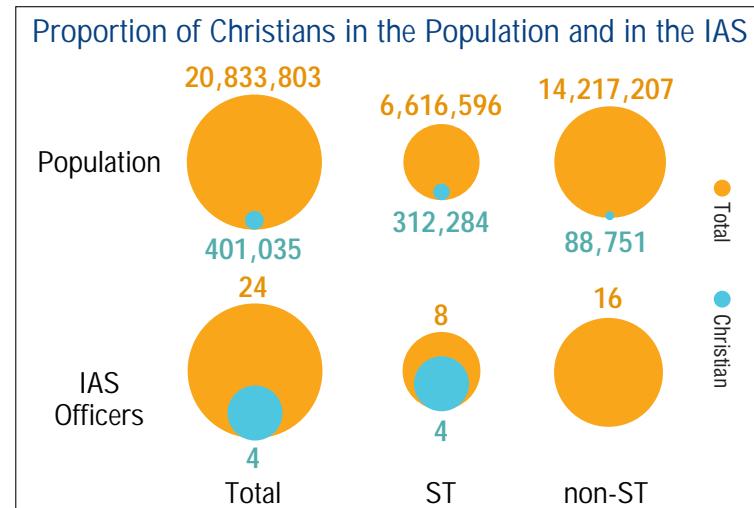
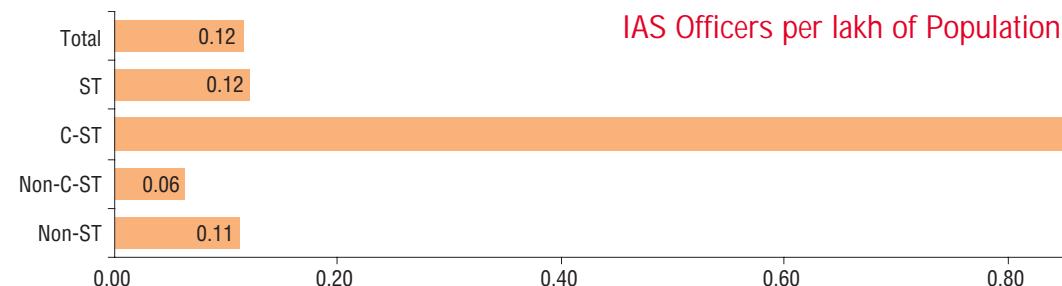
- Chhattisgarh has a population of 208 lakh according to the 2001 Census; the population of STs is 66 lakh. They have a share of 32 percent in the population of the State; this is somewhat higher than the ST share in Jharkhand. But, the absolute number of STs in Jharkhand at 70 lakhs is about the same as in Chhattisgarh.
- Among 66 lakh STs of Chhattisgarh, there are only about 3 lakh Christians; they form less than 5 percent of the ST population of the State.
- There are also about 92 thousand ORPs among the STs in the state; 87 thousand of the ORPs are listed as followers of Gond or Gondi religion. Compared to Jharkhand, the number of ORPs among the STs of Chhattisgarh is very small.
- About 62 lakh of the 66 lakh STs of Chhattisgarh are Hindus; they form nearly 94 percent of the ST population of the State. There are also about 2 thousand Sikhs and Jain among the STs.
- Among 142 lakh non-STs in the State, there are 4 lakh Muslims, about 89 thousand Christians, about 2 lakh Sikhs, Jains, Buddhists and others; and, the remaining about 135 lakh are Hindus. Hindus form 95 percent of the non-ST population.
- There are also about 3 thousand non-ST ORPs; of them nearly 2 thousand are followers of Gond or Gondi sect.
- Buddhists of Chhattisgarh are mainly from the Scheduled Caste communities. Of about 64 thousand Buddhists in the State, 57 thousand are SCs; there are less than 2 thousand Buddhists among the STs of Chhattisgarh.

Religious Demography of Chhattisgarh			
	Total	ST	Non-ST
Christians	401,035	312,284	88,751
Muslims	409,615	6,009	403,606
Hindus	19,729,670	6,199,507	13,530,163
Sikhs	69,621	1,869	67,752
Jains	56,103	198	55,905
Buddhists	65,267	1,658	63,609
ORPs	95,187	92,271	2,916
RNS	7,305	2,800	4,505
Total	20,833,803	6,616,596	14,217,207



IAS Officers of Chhattisgarh Domicile

- There are a total of 32 IAS officers of Chhattisgarh domicile in the Civil List (as on January 1, 2009); among them 8 are STs. The total number of IAS officers from the State is small in comparison to its population, though not as small as in Jharkhand. And, unlike in Jharkhand, the share of STs in the total is almost equal to their share of about one-third in the population. This parity is achieved largely through promotion of State Service officers to the IAS Cadre. There are only 5 direct recruits in the Civil List from the State and none of them is from the Scheduled Tribes.
- However, 4 of the 8 promoted ST officers from the State are Christians. The Christian STs thus occupy half of the ST share in the IAS, though their share in the ST population is less than 5 percent.
- As shown in the graph below, the number of IAS officers per lakh of the population is somewhat higher for the STs than for the population in general, but both numbers are small at around 0.12 officers per lakh of population; the national average is about 0.45 lakh officers per lakh.
- The ratio for the Christian STs in the State, however, is much higher at 1.28 officers per lakh of their population. The Christian STs thus have 10 times more chance of getting into the elite Central Service than the State average. The chances of the non-Christian STs are correspondingly reduced to less than half of the state average.



Number of IAS Officers of Chhattisgarh Domicile						
	All		Direct		Promoted	
	Total	Christians	Total	Christians	Total	Christians
All	24	4 (16.7%)	5	0	19	4 (21%)
ST	8	4 (50%)	0	0	8	4 (50%)



Chhattisgarh: Share of STs in the State Services

- Of 255 officers of Chhattisgarh Administrative Service (CAS), 86 are from the STs. Their share in the Service thus equals their share of about one-third in the population. However, of 86 ST officers in this Service, 22 are Christian. Christian ST officers form more than a quarter of the ST officers, while the share of Christians in the ST population is less than 5 percent.
- The situation is relatively better among the officers of the SC/ST Development Department of the State Government. Of the 155 officers in this department, 53 are from the Scheduled Tribes and among them 5 are Christian. The share of about 9 percent that the Christians thus have is double their share in the ST population, but is much lower than the share the Christians command in other departments.
- Of 1,083 headmasters and teachers in the schools run by the SC/ST Development Department, 302 are STs; their share is somewhat less than their share in the population. More significantly, 93 of the 302 ST teachers are Christians. The share of Christians among the ST teachers is thus about 31 percent, which is more than 6 times their share in the ST population.
- Of 1,290 lecturers in the Colleges Cadre of Chhattisgarh for which we have the data, 173 are STs. Their share in the Cadre is thus less than half their share in the population. And, among the 173 ST lecturers, 76 are Christians.
- To sum up, Scheduled Tribes in Chhattisgarh have a low share in the IAS, but have a fairly high presence in the Administrative Services of the State; their share in these Services is more or less in proportion to their share in the population. Their presence is not quite as good in other State Services.

Share of STs and Christian STs in the State Services			
State Service	Total	ST	C-ST
Chhattisgarh Administrative Service	255	86 (33.7%)	22 (25.6%)
Officers of SC/ST Development Department	155	53 (34.2%)	5 (9.4%)
Teachers in SC/ST Development Department Schools	1,083	302 (27.9%)	93 (30.8%)
Lecturers in the Colleges Cadre	1,290	173 (13.4%)	76 (43.9%)

The percentage in the ST column is the share of STs in the Cadre, that in the C-ST column is the share of Christians in the ST officers.

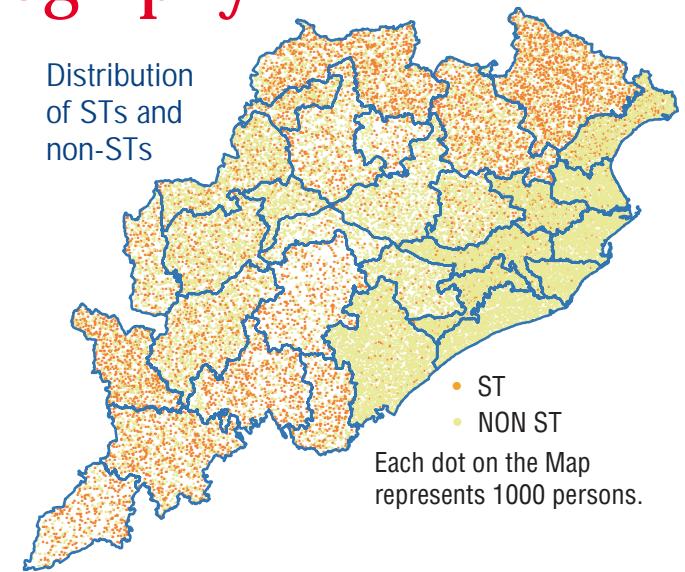
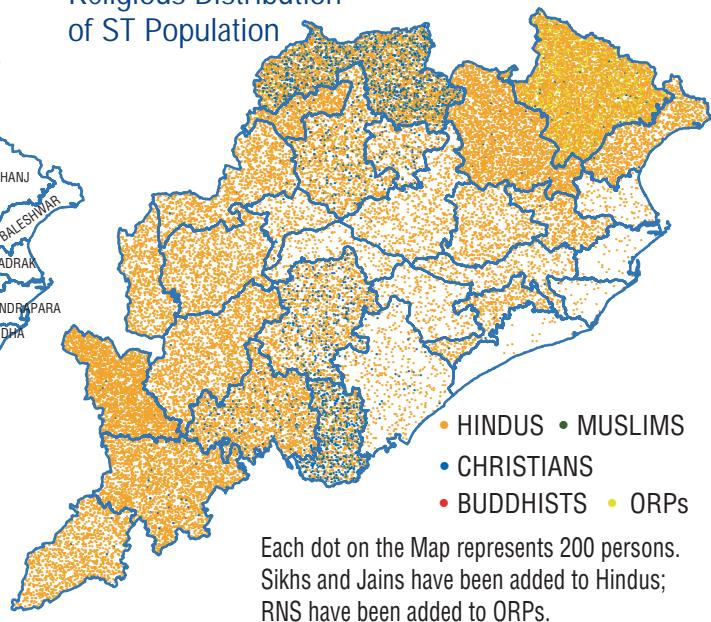
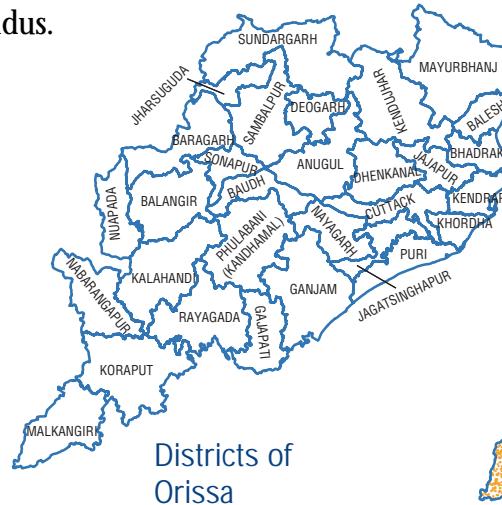
- Christians occupy a much higher proportion of the ST positions in the State than their share in the population. They have a share of less than 5 percent of the ST population, but they occupy more than 30 percent of the ST share in the Services. In the Higher Education Cadre, where the share of STs as a whole is very low, Christians fill 44 percent of the ST positions.
- Christians do not have a similarly high share in the representative institutions like the Assembly and the Parliament. This is perhaps because the share of Christians in the total population of Chhattisgarh remains below 2 percent.



Orissa: Religious Demography

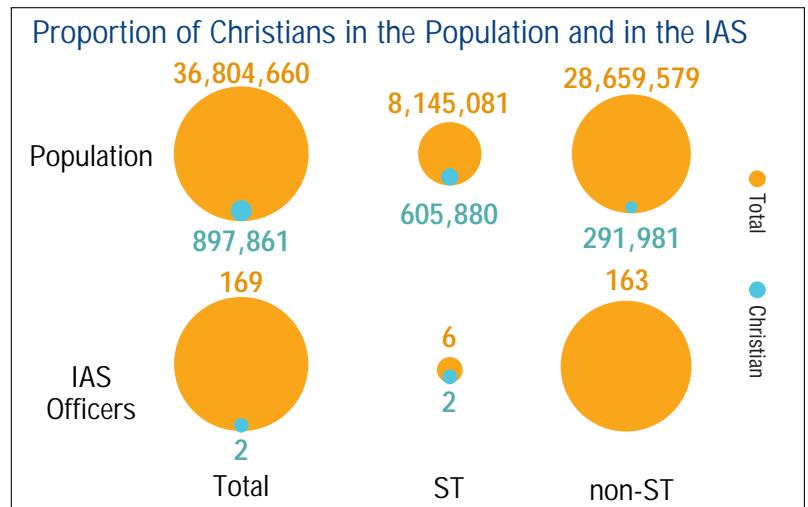
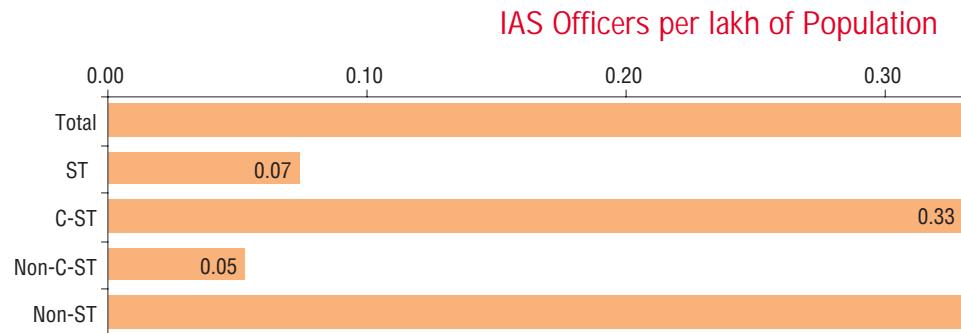
- Population of Orissa, according to the 2001 Census, is 368 lakhs; of this, the Scheduled Tribes form 81.5 lakhs, or about 22 percent of the total population.
 - About 6 lakh of the 81.5 lakh STs in the State are Christians. They form nearly 7.5 percent of the ST population.
 - There are about 3.4 lakh ORPs among the STs. Almost all of them are Sarnas, and are concentrated in the districts of Mayurbhanj and Sundargarh adjoining Jharkhand. Sundargarh, where more than half of the ST population is Christian, has relatively fewer ORPs; while Mayurbhanj, where there are few Christians among the STs, has nearly 3 lakh ORPs, forming a quarter of the STs there.
 - There are about 14 thousand Muslims among the STs; a majority of the Muslim STs are in Sundargarh and Sambalpur districts in the north.
 - Of 81.5 lakh STs in the State, 71.8 lakh are Hindus; they form 88 percent of the ST population. Of the rest 7.4 percent are Christians and 4.2 percent ORPs.
 - There are about 3 lakh Christians and 7 lakh Muslims in the non-ST population. There are 21.5 thousand non-ST ORPs, of whom 17.6 thousand are Sarnas. The remaining 96 percent of the non-STs are Hindus.

Religious Demography of Orissa			
	Total	ST	Non-ST
Christians	897,861	605,880	291,981
Muslims	761,985	13,782	748,203
Hindus	34,726,129	7,180,819	27,545,310
Sikhs	17,492	251	17,241
Jains	9,154	196	8,958
Buddhists	9,863	175	9,688
ORPs	361,981	340,532	21,449
RNS	20,195	3,446	16,749
Total	36,804,660	8,145,081	28,659,579



IAS Officers of Orissa Domicile

- There are 169 officers of Orissa domicile in the Civil List as on 01.01.2009. As shown in the graph below, the number of IAS officers from Orissa per lakh of population at 0.46 is about the same as the national average of around 0.40 officers per lakh of population.
- However, there are only 6 Scheduled Tribes officers of Orissa domicile; they form just 3.6 percent of the 169 officers from Orissa. There are thus only 0.07 Scheduled Tribes officers per lakh of the Scheduled Tribes population of Orissa. This is somewhat better than Jharkhand; but, the corresponding ratio for the Northeast is 1.24.
- Of the 6 ST officers from Orissa, 2 are Christian. They form one-third of the ST officers; the proportion of Christians in the ST population of Orissa is less than 7.5 percent. The number of Christian ST officers per lakh of Christian ST population is thus 0.33, which is nearly 7 times the ratio for non-Christian STs.
- Interestingly, all the 6 Scheduled Tribes officers of Orissa domicile, including the 2 Christians, are directly recruited; among the 21 officers promoted from the State Services, none is from the Scheduled Tribes. This is in contrast to the situation in the Northeast, where considerable number of Scheduled Tribes officers, especially Christian ST officers, get promoted to the IAS from the State Services, as we have seen earlier.



Number of IAS Officers of Orissa Domicile						
	All		Direct		Promoted	
	Total	Christians	Total	Christians	Total	Christians
All	169	2 (1.2%)	148	2	21	0
ST	6	2 (33%)	6	2	0	0



Orissa: Share of STs in the State Services

- Unlike in Jharkhand and Chhattisgarh, where the Scheduled Tribes are relatively well represented in the State Services, their representation is rather low in most of the Orissa State Services.
- Among 124 officers at the Higher Administration level in the State, there is no Scheduled Tribes officer at all.
- Among 135 officers of the Orissa Administrative Services (OAS) Class I Sr. Branch, however, there are 25 ST officers, forming about 18.5 percent of the total. This is the best representation that the STs have in any of the State Services. Among these 25 ST officers, 7 are Christian; their share in the ST officers of this Service is thus nearly 4 times their share in the ST population.
- Among 1,044 teachers of the Orissa Education Service (OES II, OES III and the TGT Cadres), there are only 98 ST teachers, and 12 among them are Christian.
- We have looked at lists of 430 lecturers in the Higher Education Service teaching in the Government Colleges, and 660 lecturers in the Government Aided Colleges. These are not complete but representative lists. Among 430 lecturers in the Government Colleges, there are only 8 ST lecturers and 2 of them are Christian. And, among 660 lecturers in the Government Aided College, there are only 2 ST lecturers of whom 1 is Christian.
- To sum up, Scheduled Tribes of Orissa are poorly represented in the Central Services and in various Services of the State. Only in OAS Class I, they have a significant share of 18.5 percent, but 28 percent of this share is filled by the Christian ST officers. The STs have a non-negligible presence of about 9.5 percent among the various School Teacher Cadres; of this share more than 12 percent is filled by Christian STs. In the Higher Education

Share of STs and Christian STs in the State Services			
State Service	Total	ST	C-ST
Higher Administration	124	0 (0.0%)	0 (0.0%)
OAS Class I Senior Branch	135	25 (18.5%)	7 (28.0%)
Orissa State Secretarial Service (OSS)	483	3 (0.6%)	0 (0.0%)
Orissa Education Services OES II, OES III and TGTs	1,044	98 (9.4%)	12 (12.2%)
Higher Education Service Government Colleges	430	8 (1.9%)	2 (25.0%)
Higher Education Service Government Aided Private Colleges	660	2 (0.3%)	1 (50.0%)

The percentage in the ST column is the share of STs in the Cadre, that in the C-ST column is the share of Christians in the ST officers.

Cadre, however, the share of STs is extremely low, and of this low share, a quarter in the Government Colleges and half in the Government-aided private Colleges is filled by Christian STs.

- In the Assembly and the Parliament, the STs have a proportionate presence. In the 147 member Orissa Assembly, 33 seats are reserved for STs. Only 2 of these are occupied by Christians. And, 2 STs have won from the General seats, thus keeping their number at full 33.
- Of the 24 seats in the Parliament, 5 are reserved for STs. In the last 5 Lok Sabhas, only once a Christian has won from an ST seat. This was in the eleventh Lok Sabha.

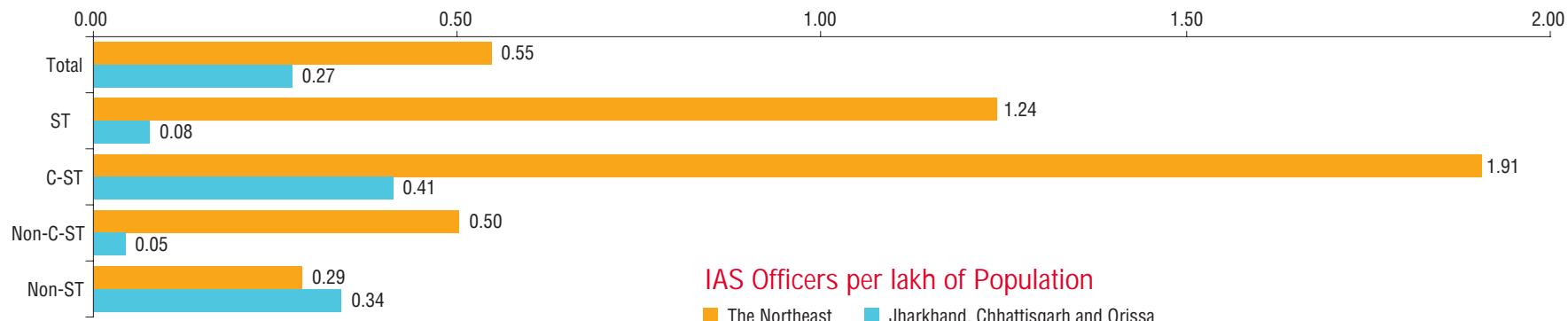
Comparing the Northeast and the Central Indian States

- The Scheduled Tribes population of each of the three States of Central India that we have considered is comparable to the total ST population of the Northeast excluding Assam; and the ST population of these three States together is twice the ST population of the entire Northeast including Assam.
- But the population of Christian STs in these States is less than 2 million compared to 5.5 million in the Northeast. This seems to have a bearing on their share in the Central Services, especially the IAS.
- The Scheduled Tribes of the three Central Indian States that we have considered are clearly faring much more poorly than the Scheduled Tribes of the Northeast in terms of their representation in the Civil Services, especially in the elite Central Service, the IAS. As seen in the graph below, there are 1.24 ST officers per lakh of ST population in the Northeast and just 0.08 officers per lakh of population in Jharkhand, Chhattisgarh and Orissa together. Interestingly, for the

Population and Number of IAS Officers from Different Regions									
	Distribution of Population						Number of IAS		
STATE	Population	ST	C-ST	%ST	%C-ST	Total	ST	C-ST	
Jharkhand	26,946	7,087	1,025	26.3	14.5	30	3	2	
Chhattisgarh	20,834	6,617	312	31.8	4.7	24	8	4	
Orissa	36,805	8,145	606	22.1	7.4	169	6	2	
Total of Above	84,584	21,849	1,943	25.8	8.9	223	17	8	
Assam	26,656	3,309	291	12.4	8.8	55	19	9	
NE excl Assam	11,788	7,162	5,213	60.8	72.8	155	111	96	
NE TOTAL	38,444	10,470	5,504	27.2	52.6	210	130	105	

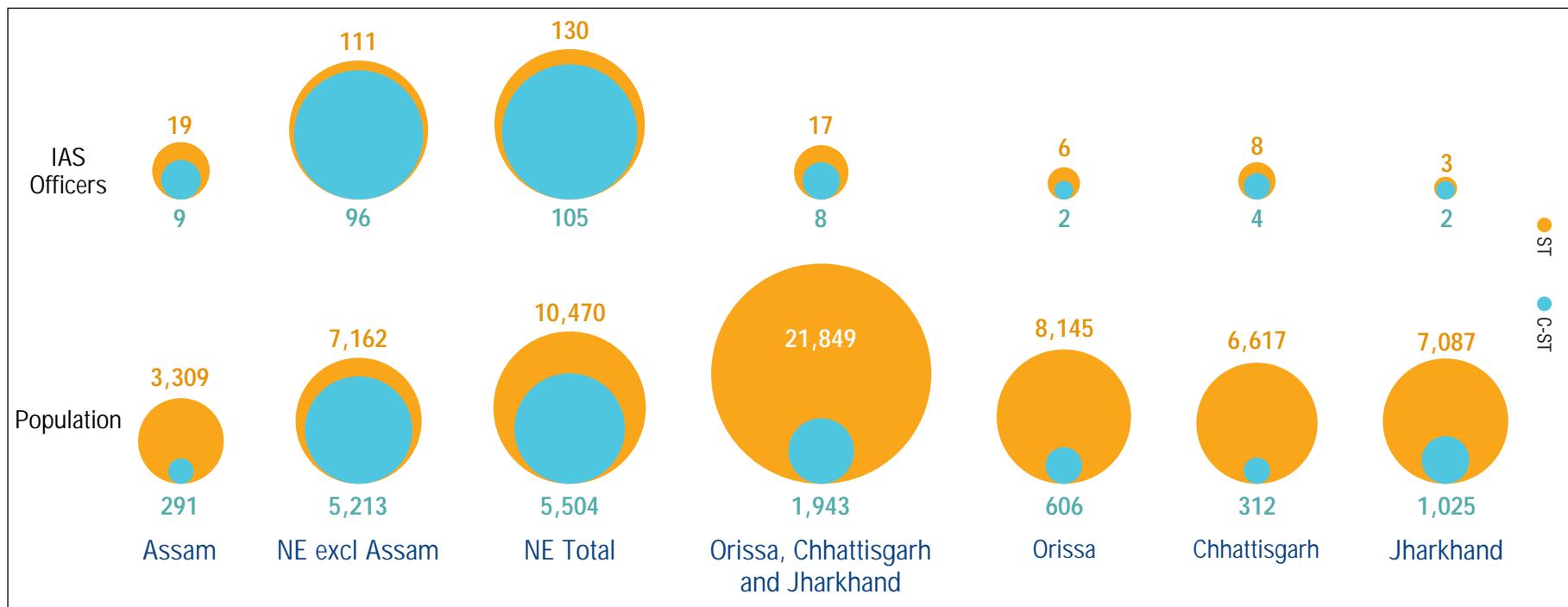
Population figures are in thousands. C-ST: Christian Scheduled Tribes persons.

Christian STs, the gap between the Northeast and these three States, though large is not as wide as for the STs in general. There are 1.91 Christian ST officers from the Northeast for every lakh of Christian ST population, the number for these three States is 0.41. The ratio for non-Christian STs in the Northeast and the Central Indian region is 0.50 and 0.05, respectively.



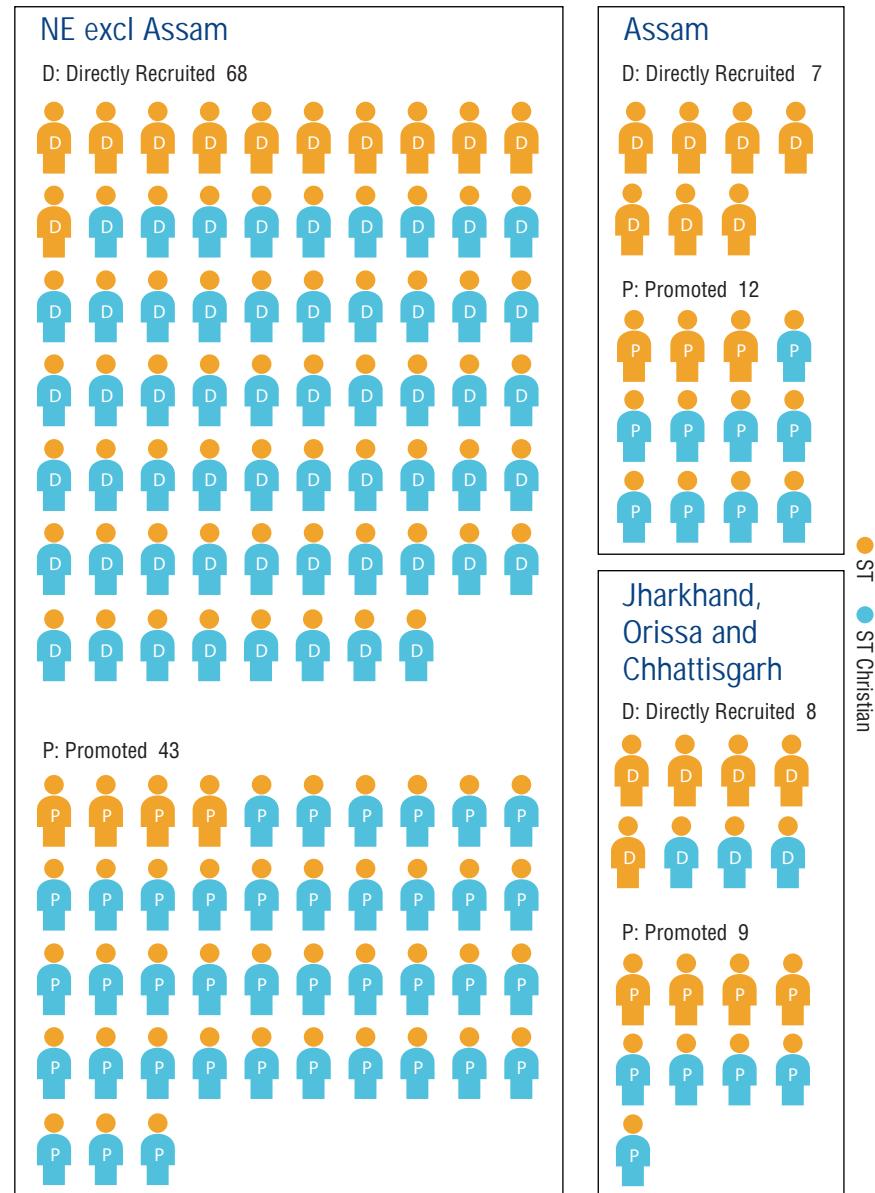
Comparing the Northeast and the Central Indian States

- As depicted graphically below, Jharkhand, Orissa and Chhattisgarh together accommodate nearly 22 million STs, forming a quarter of all ST population of India. The region, however, is represented by only 17 ST officers in the Civil List; of these, 8 are Christian. The ST population of Assam is only 3.3 million, the number of ST IAS officers from Assam is 19, of whom 9 are Christian. The ST population of the remaining 6 States of the Northeast is 7.2 million, and the number of ST IAS officers from these States is 111, of whom 96 are Christian.
- Scheduled Tribe populations of the Northeastern States other than Assam and Tripura are doing exceedingly better compared to Jharkhand, Chhattisgarh and Orissa. And, even Assam, where the population of STs is only 3 million and the proportion of Christians among them is as low as in the Central Indian States that we are considering, fares much better than the latter in the representation of the STs, and especially Christian STs in the Indian Administrative Service.
- The Christian STs of the Northeast exhaust a large part of the ST share in the IAS leaving little for the largely unconverted but much larger population of STs elsewhere. The unconverted STs populations of Jharkhand, Chhattisgarh and Orissa thus have nearly negligible presence in the Civil List.



Summary of ST Representation in the IAS

- As shown in the graphics on the right, there are 111 Scheduled Tribes officers from the Northeast (excluding Assam) in the Civil List as on 01.01.2009. Of these, 68 have come through the regular recruitment process. Among them 11 are non-Christian. Of these 11 directly recruited non-Christian ST officers from the Northeast, 6 are from Arunachal Pradesh, 2 from Meghalaya and 3 from Tripura. None of the directly recruited IAS officers from Arunachal Pradesh is a Christian.
- The remaining 43 ST officers from the Northeast (excl. Assam) are promoted from the State Services. Of these, only 4 are non-Christian; 2 each from Arunachal Pradesh and Tripura.
- Of the 19 ST officers from Assam, 7 are directly recruited and 12 are promoted. There is no Christian among the former, and there are only 3 non-Christians among the latter.
- Of the total of 17 ST officers from Jharkhand, Chhattisgarh and Orissa, 8 are directly recruited and 9 are promoted from the State Services. Of the 8 directly recruited officers, 2 are from Jharkhand and 6 from Orissa. Of the 9 promoted officers, 8 are from Chhattisgarh and the remaining 1 from Jharkhand.
- There are 5 non-Christians among the 8 directly recruited officers from these three States. And, of the 9 promoted officers, 5 are Christian.
- In almost all of the regions and States that we have considered, Christians STs get a larger share in the category of promoted officers than what they manage in the regular recruitment. This skewness in favour of Christians in the promotion process is clearly visible in the Northeast, even more in Assam, and also in the three States of Jharkhand, Orissa and Chhattisgarh.



Conclusion

- The data collected here shows that there is a vast difference in the number of Scheduled Tribes officers recruited into the IAS from the Northeast and from the other regions of the country, especially from Jharkhand, Chhattisgarh and Orissa, which have high concentration of Scheduled Tribes. The difference between the two regions is high not only in the directly recruited officers, but also in the officers promoted from the State Services.
- Christian STs have a disproportionately large share in both regions. It is true that a fairly large proportion of the Scheduled Tribes in the Northeast has converted to Christianity. But, even in that region, their share in the IAS is larger than their share in the ST population. What is even more remarkable is that the Christian STs have a much higher share among the promoted officers than among the directly recruited officers.
- We have compiled data only for the IAS, but there is similar disparity also in other Central Services in the recruitment of ST officers from the Northeast and other regions, and in the recruitment of Christian STs as compared to unconverted STs.
- This systematic disparity in recruitment to the Central Services seems to indicate a policy decision to recruit a higher number of ST officers from the Northeast, and a relatively higher number of Christian ST officers from both the Northeast and elsewhere.
- The discrimination in favour of STs of the Northeast, and particularly in favour of the Christian STs, is so large that it results in the recruitment of 105 Christian ST officers from the Northeast alone. The discrimination is so great and obvious that it begins to look like a stratagem for getting a disproportionately large number of Christian officers into the elite Central Services.
- This strategy is extremely unjust to the non-converted STs of other regions of the country. Nearly forty percent of the likely ST share in the Civil List is exhausted by a small region that has only about 6.5 percent of the ST population of India.
- A probably unintended consequence of the policy is that there are only a few ST officers among those assigned to the IAS Cadre of States like Jharkhand, Chhattisgarh and Orissa. Of a total of 409 officers in the IAS Cadres of these three States, only 29 are from the Scheduled Tribes and of them 14 are Christians. These three States with large ST populations are being ruled by mainly non-ST officers, thus denying them the basic democratic privilege of being ruled by their own. The IAS Cadres of the Northeastern States on the other hand have a significantly large proportion of ST officers of Northeast domicile.
- The situation needs immediate correction. An obvious measure of doing justice to the STs from all regions is to maintain a region-wise balance in their recruitment to the Central Services.
- There needs to be a balance between the converted and non-converted STs also. At best the Christian STs may claim a share in the ST privileges which is equal to their share in the ST population. The Constitution does not intend to extend any ST privileges to those who have converted out of their traditional religion. Judicial interpretations of the relevant Constitutional provisions also seem to tend in this direction. As we record in the Appendix below, the Lok Sabha undertook a major effort to explicitly clarify the situation in this regard in the late sixties. The effort unfortunately could not reach its proper culmination then. A new effort in that direction needs to be made again.

Appendix: Constitutional and Legal Position

Constitutional Provisions: Article 341 and 342

The preferences and privileges for the Scheduled Castes and Scheduled Tribes flow from Article 341 and 342 of the Indian Constitution. These two Articles of the Constitution read:

341. Scheduled Castes

- (1) The President may with respect to any State or Union Territory, and where it is a State, after consultation with the Governor thereof, by public notification, specify the castes, races or tribes or parts of or groups within castes, races or tribes which shall for the purposes of this Constitution be deemed to be Scheduled Castes in relation to that State or Union Territory.
- (2) Parliament may by law include or exclude from this list of Scheduled Castes specified in a notification issued under clause (1) any caste, race or tribe or part of or group within any caste, race or tribe, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.

342. Scheduled Tribes

- (1) The President may with respect to any State or Union Territory, and where it is a State, after consultation with the Governor thereof, by public notification, specify the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall for the purposes of this Constitution be deemed to be Scheduled Tribes in relation to that State or Union Territory.
- (2) Parliament may by law include or exclude from this list of Scheduled Tribes specified in a notification issued under clause (1) any tribe or tribal community or part of or group within any tribe or tribal community, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.

The texts of Article 341 and 342 above are as modified by Constitution (First Amendment) Act, 1951, s.10 and 11 and by Constitution (Seventh Amendment) Act, 1956, s.29 and Schedule. The Amendments were technical in nature; these removed references to Part A or Part B states, to the Rajpramukhs and

added reference to the Union Territories. The two Sections thus remain substantially the same as originally incorporated in the Constitution.

Besides these two substantive articles, the Constitution mentions the Scheduled Castes and Scheduled Tribes in Article 366 that defines the various expressions used in the Constitution. Scheduled Castes and Scheduled Tribes are defined in 366 (24) and 366 (25), respectively.

Notice that the texts of Articles 341 and 342 are identical, except for replacing the phrase “castes, races or tribes” in the former with “tribes and tribal communities” in the latter. The Constitution obviously intends the two under-privileged groups of Scheduled Castes and Scheduled Tribes to be treated in an identical fashion.

A substantive difference was however introduced in the treatment of the two groups while issuing the separate Presidential Orders specifying the groups to be deemed as Scheduled Castes and Scheduled Tribes in pursuance of Clause (1) of Article 341 and the corresponding Clause of Article 342.

Appendix: Constitution (Scheduled Castes) Order, 1950

The Constitution (Scheduled Castes) Order, 1950 (C.O. 19)

In exercise of the powers conferred by clause (1) of article 341 of the Constitution of India, the President, after consultation with the Governors and Rajpramukhs of the States concerned, is pleased to make the following Order, namely –

1. This Order may be called the Constitution (Scheduled Castes) Order, 1950.
2. Subject to the provisions of this Order, the castes, races or tribes or parts of, or groups within castes or tribes specified in Parts I to XXIV of the Schedule to this Order shall, in relation to the States to which those Parts respectively relate, be deemed to be Scheduled Castes so far as regards member thereof resident in the localities specified in relation to them in those Parts of that Schedule.
3. Notwithstanding anything contained in paragraph 2, no person who professes a religion different from the Hindu, the Sikh or the Buddhist religion shall be deemed to be a member of a Scheduled Caste.

4. Any reference in this Order to a State or to a district or other territorial division thereof shall be construed as a reference to the State, district or other territorial division as constituted on the 1st day of May, 1976.

The text above is as it stands amended up to 2006. The various amendments to the Order of 1950 have been concerned mainly with adding and deleting castes and caste groups from the Parts of the Schedule or adding new Parts to the Schedule to the Order as envisaged in Clause (2) of Article 341. The substantive amendments to the Constitution (Scheduled Castes) Order of 1950 involved Paragraph 3. In this paragraph, the Sikhs were included along with Hindus by Act 63 of 1956, and Buddhists were added by Act 15 of 1990.

Paragraph 3 of the Order thus limits the operation of Article 341 only to persons belonging to Hindu, Sikh or Buddhist religion. This is in conformity with the spirit of the Constitution. Section 25 of the Constitution is concerned with Freedom of Conscience and Free Profession, Practice and Propagation of Religion, and thus protects the religious institutions of various

communities from interference by the State. But, Clause 2 (b) of Article 25 gives the State the extraordinary authority to make laws aimed at Social Welfare and Reform of Hindu religious institutions. Explanation 2 to this Clause adds that “the reference to Hindus shall be construed as including a reference to persons professing Sikh, Jain or Buddhist religion...” Thus the Constitution places Hinduism, which for the purposes of the Constitution includes Sikhism, Buddhism and Jainism, at a different footing than other religions; it vests the State with the authority to interfere in the religious affairs and institutions of the Hindus – including those of Sikhs, Jains and Buddhists – for the purposes of social welfare and reform; the State has no such authority with respect to other religions.

The amendments to the Constitution (Scheduled Castes) Order 1950 to include the reference to the Sikhs and Buddhists, along with the Hindus, were to explicitly implement the spirit of Section 25 of the Constitution. Reference to Jains in this Order would have been unnecessary because there are hardly any Scheduled Caste persons professing Jain religion.

Appendix: Constitution (Scheduled Tribes) Order, 1950

The corresponding order for the Scheduled Tribes, however, omits Paragraph 3 of the above order. The text of the order to notify the Scheduled Tribes issued under the authority of Article 342 (1) reads:

The Constitution (Scheduled Tribes) Order, 1950 (C.O. 22)

In exercise of the powers conferred by clause (1) of article 342 of the Constitution of India, the President, after consultation with the Governors and Rajpramukhs of the States concerned, is pleased to make the following Order, namely –

1. This Order may be called the Constitution (Scheduled Tribes) Order, 1950.
2. The tribes or tribal communities, or parts of, or groups within, tribes or tribal communities, specified in Parts I to XXII of the Schedule to this Order shall, in relation to the States to which those Parts respectively relate, be deemed to be Scheduled Tribes so far as regards members thereof resident in the localities specified in relation to them respectively in those Parts of that Schedule.

3. Any reference in this Order to State or to a district or other territorial division thereof shall be construed as a reference to the State, district or other territorial division as constituted on the 1st day of May, 1976.

The text of the Order is as it stands now. The various amendments to the Order of 1950 have been concerned mainly with adding and deleting tribes and tribal groups from different Parts of the Schedule and adding new Parts to the Schedule as envisaged in Clause (2) of Article 342.

Discussions and Amendments

The lack of reference to religion in this Order, through a paragraph similar to paragraph 3 of the Order concerning Scheduled Castes, gave rise to the possibility of persons of tribal origin who had converted to other religions claiming the status of Scheduled Tribe persons. This was not the intention of Article 342 of the Constitution or the relevant order of 1950, as was made explicitly clear by the Government of India and of several States.

Dr. H. N. Kunzru along with another 15 Members of the Parliament submitted a

memorandum dated December 17, 1950 questioning the completeness of the list of Scheduled Tribes issued as a part of the Constitution (Scheduled Tribes) Order, 1950. The Government of India, in their reply to the Memorandum dated February 15, 1951 stated that:

"There was a special enquiry conducted along with the 1931 Census throughout India, on the basis of which, the communities properly classifiable as Tribes were distinguished from Castes and among the former those which were properly classifiable as 'Primitive Tribes' were listed. The principle has been adopted that the tribes which did not find place in this list should not be now included as 'Scheduled Tribes' unless the State Governments concerned could certify that the omission was incorrect and that the community was in fact not only a tribe but a primitive or backward tribe. ... Government regard it as obviously necessary that the communities which were not regarded as classifiable as 'Primitive Tribes' as long as 1931 and have never enjoyed special political representation on that basis, should not, for the first time be given such representation as 'Scheduled Tribes'"

Appendix: Discussions and Amendments

The position that the 1931 Census was to form the basis of determining Scheduled Tribes meant that Christian converts could not claim this status. The 1931 Census put the converts to Christianity in the separate category of 'Indian Christians'. They were not included in the list of 'Primitive Tribes' in the 1931 Census or in the list of 'Backward Tribes'.

In the same context, the Government of Orissa issued a notification in 1950, laying down that:

"A person belonging to a 'Scheduled Tribe' but not professing tribal religion will not be treated as a member of the tribe but treated as a member of 'other backward classes'. He will not, however, be treated as a member of 'other backward classes' if he has socially, educationally or economically attained a degree of advancement which in the opinion of the Government does not entitle him to any protection to which backward classes are eligible under the Constitution."

The Government of Bihar in their reply of June 10, 1950 to a memorandum submitted by Shri Gustur Mundu of Orissa to the Prime Minister of India, stated:

"I am directed to refer to your letter... dated 26th May 1950, addressed to the Prime Minister and to say that it appears from the names cited in your letter that they are Christians. The State Government of Bihar do not recommend Christian Scheduled Tribes as educationally backward; it is therefore regretted that they would not be granted scholarships. Further correspondence, if any, regarding this matter may please be made to the Government of Bihar."

Similar orders were issued by the Government of Kerala and Government of Mysore. Government of Madhya Pradesh led by the Congress Chief Minister, Sri Ravi Shankar Shukla, set up the Christian Missionary Activities Enquiry Committee under the Chairmanship of Dr. N. B. Niyogi in April 1954. From all this it is clear that neither the Central Government nor the Governments of several major States, interpreted the Constitution (Scheduled Tribes) Order 1950 to include any tribal persons converted to Christianity among the Scheduled Tribes.

However, the ambiguity in the drafting of this Order continued to be exploited by

tribal persons converted to Christianity to corner the lion's share of the opportunities that the Constitution granted to the Scheduled Tribes. Ultimately, the Parliament made a move towards removing this ambiguity. A comprehensive bill to provide for the inclusions in and exclusions from the lists of Scheduled Castes and Scheduled Tribes and corresponding readjustment of representation and re-delimitation of the reserved parliamentary constituencies was introduced in the Lok Sabha on August 12, 1967. The Lok Sabha resolved to refer the Bill to a Joint Parliamentary Committee of both Houses on March 26, 1968; the Rajya Sabha concurred with the reference on March 28, 1968. The Joint Committee on the Scheduled Castes and Scheduled Tribes Orders (Amendment) Bill, 1967 was constituted under the Chairmanship of Shri Anil K. Chanda; it had 22 members from the Lok Sabha and 11 members from the Rajya Sabha, besides representatives of the relevant ministries. Shri M. C. Chawla was the Secretary of the Committee.

The Committee held extensive discussions and consultations with all concerned governments, public bodies, organisations

Appendix: Amendment Proposed by Joint Parliamentary Committee, 1969

and individuals throughout the country; it received and considered 262 memoranda and representations on the Bill; it divided itself into various Study Groups that visited pockets and belts predominantly inhabited by the Scheduled Castes and Scheduled Tribes in different parts of the country. The Committee held 22 sittings spread over one and a half year. It finally submitted its comprehensive report to the Lok Sabha on November 17, 1969.

Along with its detailed recommendations about the inclusion or exclusion of different Castes or Tribes from the Schedule, the Committee in its Report stated that:

“20 (iii): The Committee also considered the question as to whether members of the Scheduled Tribes should continue to be treated as a Scheduled Tribe after conversion to another religion other than a tribal religion. The Committee are of the opinion that no person who has given up the tribal faith or faiths or has embraced Christianity or Islam should be deemed to be a member of Scheduled Tribe. . . .”

The Committee accordingly suggested the following amendment:

“In the Constitution (Scheduled Tribes) Order 1950 –

(a) for paragraph 2 substitute –

2A. Notwithstanding anything contained in paragraph 2, no person, who has given up tribal faith or faiths and has embraced either Christianity or Islam, shall be deemed to be a member of any Scheduled Tribe.”

Similar amendments were proposed in the Constitution (Scheduled Tribes) Orders of various Union Territories. The Joint Parliamentary Committee thus sought to plug the lacuna that was left in the Constitution (Scheduled Tribes) Order 1950, make it identical with the Constitution (Scheduled Castes) Order 1950, and thus restore the spirit of the Constitution expressed in the identical language of Article 341 and Article 342.

The Government of India, however, came under great pressure from various Christian quarters to reject the amendment proposed by the Joint Parliamentary Committee. The Cabinet Minister-in-Charge of the Bill had in fact conveyed some idea of the

Government's position to the Committee; the Committee in its report had mentioned that “The Minister-in-charge expressed his difficulties with regard to the acceptance of the proposed amendment. He stated that the proposed amendment is required to be examined very carefully in the Ministries of Law, Home Affairs and External Affairs.” The reference to the Ministry of External Affairs in this context seems odd, but apparently the Government were expecting to face pressure not only from Christian missions within India, but also from abroad.

The Bill as returned by the Joint Parliamentary Committee on November 16, 1969 did not come up for discussion in the Parliament for nearly a year. During this period, various memoranda on behalf of the Christians were sent to the Government opposing the amendment proposed by the Committee. In April 1970, a memorandum signed by the Meghalaya Legislature and various Khasi leaders was sent formally through the Meghalaya Government. The state of Meghalaya came into existence only on April 2, 1970 and this memorandum was probably one of the first acts of the new Legislature.

Appendix: Lapse of the Amendment and Court Judgements

In response to the Christian mobilisation, Sri Kartik Oraon, a Scheduled Tribe member of the Lok Sabha, one of the members of the Joint Committee, and later a Minister in the Government of India, sent a memorandum urging Srimati Indira Gandhi, the then Prime Minister, to accept the amendment proposed by the Committee and thus alleviate the “injustice done to 3.5 crores of poor, loyal and patriotic tribes at the instance of about 22 lakh Indian Christians, known for their aggressive, vocal and advanced status.” The memorandum was signed by 348 Members of Parliament, 322 of whom were from the Lok Sabha. The memorandum was originally submitted on June 17, 1970 with the signatures of 235 MPs and again on November 10, 1970 with the signatures of 348 MPs. Many of the precedents and orders that we have quoted above have been taken from this well-researched and documented memorandum.

The Lok Sabha began discussing the Bill on November 16, 1970. The same day the Chief Ministers of the newly created States of Meghalaya and Nagaland arrived in New Delhi to lobby against the amendment proposed by the Joint Parliamentary

Committee. On November 17, 1970, the Government moved an amendment withdrawing Clause 2A that the Joint Committee had inserted in the Bill. Several MPs opposed the Government’s amendment and supported the recommendation of the Joint Committee. The Bill came up for discussion again on November 24, when Sri Kartik Oraon made a passionate appeal to the members asking them to either accept the recommendation of the Committee or let him die. And, notwithstanding the whip issued by the Indian National Congress to its members requiring them to vote in favour of the Government’s amendment and against the proposal of the Joint Committee, the mood of the House was in favour of the latter. It became obvious that if the Bill were to be put to vote, a large number of Congress MPs would defy the whip and the Bill as proposed by the Committee would pass with an overwhelming majority. The Government, at that stage, decided to postpone further discussion on the Bill on that day and did not bring it to the House again in that session. This was the last session of that Lok Sabha. A month later, on December 24, 1970, the Lok Sabha was dissolved, and the Bill lapsed.

With this, the Scheduled Tribes of India lost the one chance they had to constitutionally undo the injustice that was being done to them by allowing converted Christians to claim the opportunities and privileges that the Constitution had reserved for them. Recalling the events, Sri Kartik Oraon wrote that with the dissolution of the Lok Sabha, the future of the Scheduled Tribes of India was immersed in darkness; their hope of seeing the light of day at the end of “the twenty-year long dark night since 1950” was shattered. He also said that the Christians got the hopes of Scheduled Tribes aborted not through any Constitutional or rational arguments, but by merely threatening to walk out of the Indian Union.

Court Judgements

The issue of whether converts to Christianity from the Scheduled Tribes can continue to claim Scheduled Tribes status has arisen in a few cases in the various High Courts and in the Supreme Court. Below, we summarise two of the most significant cases decided at the level of the Supreme Court of India:

Appendix: Case of Jaintia Hills District Council

Ewanlangki-E-Rymbai v Jaintia Hills District Council and Others
AIR 2006 SC 159 (28 March 2006)

In this case, the issue before the Supreme Court was whether the Jaintia Hills District Autonomous Council could exclude persons belonging to the Christian faith from contesting elections to the position of Dolloi (Headman). The elections to the position are held under the United Khasi Jaintia Hills Autonomous District (Appointment and Succession of Chiefs and Headmen) Act, 1959. Section 3 of the Act provides that subject to the provisions of the Act and the Rules made thereunder all elections and appointments of Chiefs and Headmen shall be in accordance with the existing customs prevailing in the Elaka (administrative unit) concerned. The District Council interpreted this to mean that only members of specific clans could contest elections in any Elaka as determined by the custom prevailing in that Elaka, and this automatically excluded persons belonging to the Christian faith.

The Petitioners, Ewalangki-e-Rymbai and Elaka Jowai Secular Movement, challenged the constitutional validity of Section 3 of the Act of 1959 as being contrary to Articles 14,

15 and 16 of the Constitution. These Articles grant the right to equality before law and in matters of public appointment, and prohibit discrimination on grounds of religion, race, caste, sex and domicile. The matter was previously agitated before the Gauhati High Court. The High Court had held that the exclusion of Christians from the post of Dolloi was based on constitutionally valid and legitimate grounds, and did not violate Articles 14, 15 and 16. The High Court further held that the impugned Section 3 of the Act of 1959, by excluding Christians from the post of Dolloi, "in fact ... protected the rights guaranteed under Articles 25 and 26 of the Constitution of India."

The Supreme Court upheld the operative part of the decision of the High Court concluding that the impugned Section 3 of the Act of 1959 did not violate Articles 14, 15 and 16 of the Constitution, and that the exclusion of Christians from the post of Dolloi was based on constitutionally valid and legitimate grounds. However, the Supreme Court refused to go into the applicability of Articles 25, 26 and 29 of the Constitution, saying that "it is not necessary for us to deal with other issues which the respondents have urged on the basis of

Articles 25, 26 and 29 of the Constitution of India in support of their stand."

Articles 25 and 26 of the Constitution grant the freedom of religious profession and practice to the people of India and the freedom to manage their own religious affairs to all religious denominations and their various sections. Article 29 guarantees the preservation of tribal culture. Clause 1 of Article 29 reads: "Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have a right to conserve the same."

By refusing to hold that exclusion of Christians from the post of Dolloi, and similar other customary posts, protects the rights guaranteed to the tribal communities under Articles 25, 26 and 29 of the Constitution, as the High Court had done, the Supreme Court has left the possibility of a future government withdrawing the protections provided to them by an Act of the State Legislature. The right of the tribal communities to conduct their affairs through persons who have not given up their customary religion and culture thus gets only legal and not constitutional protection.

Appendix: State of Kerala vs Chandramohan

State of Kerala and anr. vs Chandramohan
*Criminal Appeal No. 240 of 1997, AIR 2004
SC 1672*

This case is more significant than the previous one. In this matter, the Courts at different levels were called upon to directly answer the question whether a Scheduled Tribe person continued to remain a part of the Tribe even after conversion to Christianity, especially when the family in question had been converted centuries ago. While the question was simple and straightforward, the answer that the Supreme Court has provided is rather ambiguous and given rise to the possibility of endless litigation in every individual case of conversion.

The question arose in a criminal case. Chandramohan, the respondent in the appeal before the Supreme Court, was accused of attempting to dishonour and outrage the modesty of an eight year old girl, Elizabeth P. Kora. Since it was alleged that the victim belonged to Mala-Aryan community, which is deemed a Scheduled Tribe in Kerala, the accused was charged under Section 3(1)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 in addition to Section 509 of the Indian Penal Code. The accused

appealed to the High Court seeking quashing of the charges framed under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. The High Court unambiguously ruled that "the victim in this case cannot be treated as a member of the Scheduled Caste or Scheduled Tribe in view of the fact that she was born to parents belonging to Christianity", and quashed the charges under the Act.

The State of Kerala went in appeal against this judgement of the High Court, and the matter was heard by a Constitution Bench headed by the then Chief Justice of India, Justice V. N. Khare. The Court in its order of January 28, 2004 went into a detailed anthropological and legal exploration into what constitutes a Tribe. On the basis of this exploration, their Lordships dismissed the submission of the Learned Counsel for the State of Kerala that since the Constitution (Scheduled Tribes) Order 1950 does not have a provision corresponding to the provision in the Constitution (Schedule Castes) Order 1950 that bars persons other than Hindus, Sikhs and Buddhists to be deemed as members of a Scheduled Caste, therefore, a Scheduled Tribe person does not cease to be a Scheduled Tribe by reason of

conversion. But they also dismissed the suggestion that a person ceases to be a member of a Scheduled Tribe after conversion to Christianity. Ultimately, the Supreme Court of India came to the following conclusion:

"We, therefore, are of the opinion that although as a broad proposition of law it cannot be accepted that merely by change of religion a person ceases to be a member of scheduled tribe, but the question as to whether he ceases to be a member thereof or not must be determined by the appropriate court as such a question would depend upon the fact of each case. In such a situation, it has to be established that a person who has embraced another religion is still suffering from social disability and also following the customs and tradition of the community, which he earlier belonged to."

With this observation, the Court set aside the order of the High Court and remitted the case to the Sessions Court, Palakkad, to proceed in accordance with law.

After this judgement of the Supreme Court, the question whether a Scheduled Tribe person continues to be so after conversion to

Appendix: Constitutional and Legal Ambiguity and the Continuing Night of Despair

Christianity has to be decided through trial in every individual case. Since it is nearly impossible to take every case of conversion for adjudication by the Courts, the order de-facto allows the converted Christians to continue claiming the Scheduled Tribe status until challenged in a Court. In any case, such challenges are not easy to prove. In the case before the Supreme Court, the family of the victim had converted to Christianity two centuries ago, and the father of the victim had undergone conversion again to marry a Roman Catholic wife. These were admitted facts before the Court. Yet the Supreme Court could not hold that the concerned family had ceased to be a Scheduled Tribe.

The judgements of the Supreme Court thus offer little solace to the Scheduled Tribes in their effort to preserve the privileges granted to them by the Constitution of India, and to save these from encroachment by the converted Christians.

The Impact of Constitutional and Legal Ambiguity

As a consequence of the constitutional and legal ambiguity regarding the status of Scheduled Tribe persons who have given up

their ancestral religion and practices and converted to Christianity, the latter have always occupied a disproportionately large number of positions reserved for the Scheduled Tribes. Sri Kartik Oraon in his memorandum of 1970, that we have mentioned above, gave details of this disproportion. According to the data provided in the memorandum, converted Christians at that stage formed 5.53 percent of the Scheduled Tribe population of India. And, these 5.53 percent Christians among the Scheduled Tribes occupied 62 percent of the Scheduled Tribes positions in the IAS, 52 percent of the Scheduled Tribes positions in the IPS, 50 percent of the positions in the IFS, 62 percent of the ST positions in the Indian Forest Service and 79 percent of the ST positions in Other Class 1 Allied Services.

There was similar disproportion in the State Services. In Assam, Christians formed 24 percent of the ST population then, and they occupied 80 percent of the ST positions in the State Services; in Nagaland, Christians formed 56 percent of the ST population and filled 90 percent of the ST positions in the State Services; in Bihar, Christians formed 10.6 percent of the ST population and they occupied 83 percent of the ST positions in

the Government Services; and, in the Class II AG Cadre of Bihar, Christians filled the entire 100 percent of the ST positions.

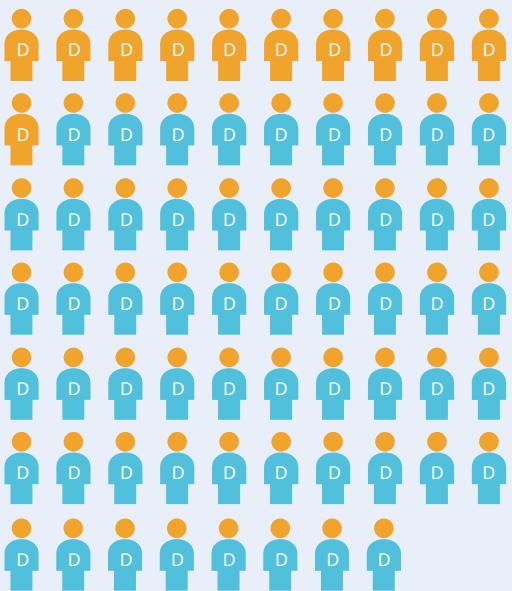
Sri Kartik Oraon also estimated that in the total of Rs.150 crore that the Government of India spent annually on the welfare of the Scheduled Tribes, the share of converted Christians worked out to be Rs. 38 per capita per annum and the remaining nearly 95 percent of the ST population received only 74 paisa per capita per annum. In addition, at that time, Christian STs received Rs.108 per capita per annum from Christian missions abroad and from the incomes of Christian mission in India.

Such was the disproportion in 1970 in the privileges enjoyed by Christian STs and the overwhelming majority of other Scheduled Tribes who had continued to follow their ancestral religion and customs. That is why Sri Kartik Oraon described the situation at that stage as 20 year long night of deep darkness that had enveloped the Scheduled Tribes of India since the promulgation of the Constitution of India. The limited data collected in this booklet shows that the long night of darkness is not only continuing but also is becoming deeper and deeper.

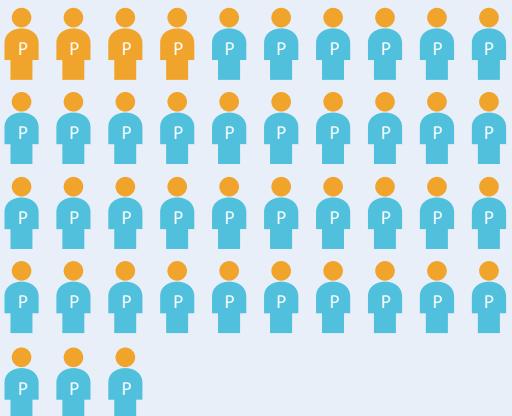
IAS Officers from different parts of India

Northeast (excluding Assam)

D: Directly Recruited 68

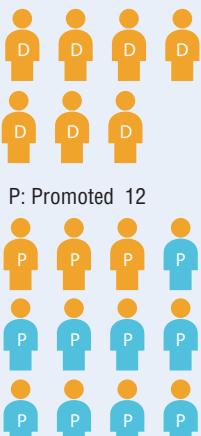


P: Promoted 43

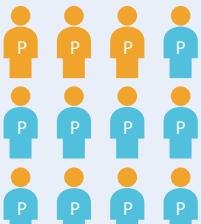


Assam

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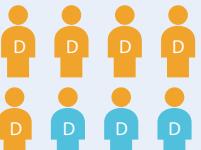
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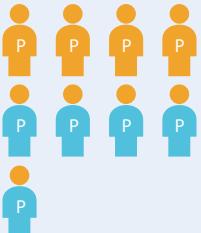
ST ● ST Christian

Jharkhand, Orissa and Chhattisgarh

D: Directly Recruited 8



P: Promoted 9



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I will give you a talisman. Whenever you are in doubt, or when the self becomes too much with you, apply the following test.

Recall the face of the poorest and the weakest man whom you may have seen, and ask yourself, if the step you contemplate is going to be of any use to him. Will he gain anything by it? Will it restore him to a control over his own life and destiny? In other words, will it lead to Swaraj for the hungry and spiritually starving millions?

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