

News

The Supreme Court dismisses a challenge to the ban on Christian missionaries entering tribal areas in Chhattisgarh.



The High Court's ruling that Christian pastors used coercion and persuasion to convert the tribal community was affirmed by the Court.

On Monday, the Supreme Court rejected a case contesting limitations placed on the entry of Christian pastors and missionaries in specific tribal areas in Chhattisgarh [Digbal Tandi vs. State of Chhattisgarh & Ors.].

A High Court ruling that had made general observations regarding religious conversions purportedly carried out by "induction" and "manipulation," as well as the effects of such conversions on communal harmony and tribal cultural identity, was maintained by a bench of Justices Vikram Nath and Sandeep Mehta.

In India's sociopolitical environment, religious conversion has long been a delicate topic. Of the many types of conversion, the purported conversions by Christian missionaries among illiterate and impoverished tribal and rural groups have caused the most debate. Although the freedom to profess, practice, and spread religion is guaranteed by the Constitution, abuse of this right through compulsion, inducement, or deceit has grown to be a serious concern. In addition to upsetting social cohesion, the practice of mass or driven conversions also threatens the cultural identity of indigenous tribes, as the High Court has observed.

The issue started when the Chhattisgarh High Court dismissed a plea over decisions made by several Gram Sabhas in tribal areas that purportedly prohibited Christian pastors from entering and forced tribal people into communities.

According to reports, hoardings claiming that the Panchayat (Extension to Scheduled Areas) Act forbade the entry of pastors and priests had been erected in certain areas.

Before the High Court, the petitioner argued that these resolutions infringed against Christians' basic rights as guaranteed by Articles 14, 19(1)(d), and 25 of the Constitution.

Additionally, it was claimed that communal friction was being exacerbated in the area, Christian tribal people were being denied the right to be buried, and they were being forced to relocate and endure social boycotts.

After dismissing the plea, the High Court instructed the petitioners to speak with their respective Gram Sabhas. It did, however, make thorough notes on Christian missionaries' religious conversions throughout this time. In India, missionary work began during the colonial era, when Christian groups founded charity organizations, schools, and hospitals. These initiatives were first focused on health care, literacy, and social upliftment. But eventually, some missionary organizations started using these channels as ways to spread their message. Under the pretense of improved living conditions, access to education, and equality, this resulted in a gradual conversion to religion among economically and socially disadvantaged groups, particularly Scheduled Tribes and Scheduled Castes.

In many instances, what was initially perceived as service evolved into a covert tool for religious growth. When conversion stops being a question of personal faith and instead results from coercion, manipulation, or taking advantage of weakness, it becomes a threat. Missionaries are frequently accused of pursuing poor and illiterate people in isolated tribal districts and offering them financial assistance, free education, healthcare, or jobs in exchange for conversion. Such actions amount to cultural coercion and pervert the spirit of voluntary religion. Within indigenous tribes, this trend has also resulted in severe social divisions. Converting to Christianity, tribal people frequently take up new cultural customs and disassociate themselves from customs and group celebrations. Villages become divided as a result, which causes friction, social boycotts, and occasionally even violent altercations, the High Court stated.

According to the report, Christian missionaries are especially contentious because they abuse their authority to spread their faith by forcing, inciting, and controlling indigenous people.

These statements were contested before the Supreme Court after they were included in the High Court's reasoning.

Senior Advocate Colin Gonsalves, representing the petitioner before the Supreme Court, contended that the High Court had made generalizations without providing evidence.

In another instance, he argued, the Supreme Court was already considering more than 700 attacks on pastors during prayer services. Additionally, he cited cases in which Christianized indigenous people were denied the right to bury their dead in their communities. There is a tradition in Chhattisgarh. In the first instance, 700 pastors were attacked during prayer sessions. The second case, in which tribal members who converted to Christianity were denied the right to be buried in the village, is still ongoing at court number 1. On that, there were differing views. This court will consider a third petition on Wednesday. The bodies of the tribal people buried in the village are being exhumed. Over the past ten years, Chhattisgarh has not had a single conviction under the conversion statute. "Observe the High Court's proceedings," Gonsalves remarked.

He restated that the High Court's lengthy discussion on Christian conversions lacked any supporting evidence.

Colin Gonsalves, SG Tushar Mehta, and the Supreme Court

Speaking on behalf of the State, SG Tushar Mehta, Supreme Court Solicitor General Tushar Mehta, and Colin Gonsalves argued that Gonsalves was making further claims before the highest court that had nothing to do with the High Court's proceedings.

He said that the petitioners were instructed to approach the Gram Sabhas of the relevant villages in order to remove the hoardings, which was the only issue in the High Court's case.

Mehta was agreed with by the Court.

Please refer to the high court's writ petition and the relief sought, Mr. Gonsalves. The Court remarked, "You have been asked to go to the Gram Sabha."

In response, Gonsalves said the comments made by the High Court had a broader effect.

"You can't prohibit me from holding my prayer meeting on Sundays. And it's not unconstitutional, according to the High Court," he continued.

However, the Court rejected the petition because it was not convinced to step in.