2.13. The Ministry of Law & Justice, Department of Legal Affairs, which was consulted in the matter, mentioned in their note dated 23.01.2002 that, " the administrative Ministry has laid down certain Guidelines to determine the status of a person as Scheduled Caste and the reference need to be examined from the point of view of these guidelines. "That Ministry on a subsequent reference confirmed in their note dated 29.06.2005 that, "We still reconfirm our earlier opinion dated 23.1.2002."

2.14. The demands for inclusion of Scheduled Castes converted to Christianity and Islam religion in the list of Scheduled Castes were accordingly rejected with the approval of the then Hon'ble Minister for Social Justice & Empowerment on 28.06.2002 and 03.11.2003 respectively.

2.15. A Civil Writ Petition No. 180 of 2004 had been filed in the Hon'ble Supreme Court by the Centre for Public Interest Litigation & Ors. Versus Union of India, regarding declaring clause 3 of the Constitution (Scheduled Castes) Order 1950 as unconstitutional and void, being discriminatory to Scheduled Castes converts to Christianity. Another case W.P. no. 94/05 filed by D. David Vs. Union of India was ordered to be tagged with this petition. The main contentions raised in the petitions were that the social and economic disabilities of Scheduled Caste converts to Christianity continue to persist in most of the cases even after their conversion.

2.16. The petitioners in the Civil Writ Petition No. 180 of 2004 had stated that, "the discrimination is also clear from the fact that Scheduled Tribes converts to Christianity continue to remain within the purview of the Scheduled Caste Order 1950, while Scheduled Caste converts to Christianity are denied this benefit." In this context it may be mentioned that Scheduled Tribes do not come under the purview of the Constitution (Scheduled Castes) Orders but under the Constitution (Scheduled Tribes) Orders. Further, so far as specification of a community as a Scheduled Tribe is concerned; the