

Programme: BALLB
Course: Tribal and Customary Law
Course Code:24F.453
Enrolment no. _____

Full Marks: 70
Time: 3 Hrs.

Q. No.	Questions	CO	Bloom Taxonomy Category	Marks
Section I				
1	Short Answer type questions.			
a	Tribal customary law is unwritten and rooted in oral traditions, reflecting the collective conscience of the community. State two significant features of tribal customary law in India.	CO1	Understand	4 x 5 = 20
	or North-East India is a mosaic of tribal identities, each preserving its unique heritage amidst shared indigenous values. Write a short note on the tribal population of North-East India, highlighting any two key tribes.	CO1	Remember	
b	Briefly explain the role of the Tribes Advisory Council under the Fifth Schedule Indian of the Constitution,1950.	CO3	Understand	
	or What is the purpose of Article 275(1) of the Indian Constitution ,1950 in promoting tribal development?	CO3	Understand	
c	Discuss the constitutional provision that ensure political representation of Scheduled Tribes in India.	CO1	Apply	
	or Define the objectives of the Panchayat (Extension to Scheduled Areas) Act, 1996.	CO1	Remember	
d	Define the legal construct of ‘adoption’ within the framework of customary tribal jurisprudence.	CO1	Understand	
	or State two key observations of the Dhebbhar Commission regarding tribal welfare.	CO1	Understand	
Section II				
	Long Answer type questions.			
2	How do courts assess the validity of tribal customs as a legal source, and what judicial tests and case laws determine their recognition?	CO1	Understand	3 x 10 = 30
	or Evaluate the protective measures established for tribal communities in India before the adoption of the Constitution.	CO1	Evaluate	
3	Analyze the constitutional provisions ensuring educational and service-related protections for Scheduled Tribes in India.	CO2	Analyze	
	or Critically analyze the constitutional measures designed to abolish untouchability and forced labour in India.	CO2	Analyze	
4	Whether the acquisition of land in a Scheduled Area by a private company for mining operations, without prior consent of the Gram Sabha, violates the provisions of the Fifth Schedule of the Indian Constitution,1950 and the PESA Act, 1996?	CO3	Analyze	
	or Elaborate the power of the Gram Sabha in tribal governance under the Panchayat (Extension to Scheduled Areas) Act, 1996.	CO3	Apply	
Section III				
	Application based questions			
5	Critically evaluate the legal aspects of adoption and guardianship in tribal customary law, with an emphasis on tribal women's inheritance rights.	CO3	Evaluate	1 x 20 = 20
	or Analyze the customary legal framework regulating marriage, divorce, and remarriage among tribal communities with the help of landmark case laws.	CO4	Analyze	

COURSE OUTCOME

CO1 Student will be able to understand the fundamental legal basis or source of law for a community’s legal rights over traditional knowledge.

CO2 Student will be able to apprehend equitably within a community and the meaning of determining appropriate remedies, sanctions or restitution following a breach of rights.

CO3 Student will be able to comprehend the law as an avenue for resolving disputes over ownership or forms of tribal and custodian guide for the transmission of rights over traditional knowledge from generation to generation.