



PRACTICE SET
End Semester Examination, Spring- 2026

Program: BA.LLB

Semester: VIII

Subject: Tribal and Customary Law

Subject Code: 24F.453

Course Outcome:

On the completion of the Course, the students will be able to:

Course Outcomes	Description
CO1	Interpret the interplay between tribal customary practices and formal legal system, assess the socio-demographic structure of tribal communities.
CO2	Analyse the effectiveness of statutory protections in addressing the marginalization of tribal groups within India's legal and constitutional order.
CO3	Demonstrate a critical understanding of tribal administrative framework governing Schedules areas in India.
CO4	Evaluate the application of tribal family customary law, and evaluate their interaction with formal legal frameworks, thereby understanding how these customs influence social structures, identity, and legal pluralism in tribal communities.

UNIT I

Section A (10 marks)

1. Elucidate the concept of 'custom' and critically examine its essential characteristics as a source of tribal jurisprudence. (CO1) (Remember) (LOT)
2. Not all tribal customs can be considered as a source of law. Explain the judicial test for determining the validity of a custom with relevant case laws (CO1) (Understand) (LOT)
3. Discuss the evolution of tribal policies in the post-independence era. Examine the significance of Nehru's Policy of Panchsheel. (CO1) (Understand) (LOT)

4. Describe the term tribal customary law. State the importance of Dhebar Commission. (CO1) (Remember) (LOT)
5. Illustrate the historical development of tribal policies during the pre-independence era in India. Explain the approaches adopted by the British towards tribal communities and their impact. (CO1) (Understand) (LOT)
6. Evaluate the role of customary laws in maintaining social order and justice in tribal communities, with reference to their application in social institutions and dispute resolution mechanisms. (CO1) (Evaluate) (HOT)
7. 'A tribal group is restricted from accessing forest resources due to the enforcement of modern environmental laws, despite their long-standing customary rights over such resources.' Evaluate the conflict between customary laws and modern legal frameworks, and suggest how justice can be ensured for tribal communities in such cases. (CO1) (Evaluate) (HOT)
8. Discuss the socio-demographic profile of tribal populations in Jharkhand, including challenges they face. (CO1) (Analyze) (HOT)

Section B (20 marks)

9. 'Customs are the soul of tribal justice.' Apply the judicial tests for determining the validity of customary laws to tribal societies, and illustrate your answer with examples from major tribal communities. (CO1) (Apply) (HOT)
10. Critically evaluate Article 342 of the Indian Constitution relating to the specification of Scheduled Tribes. Discuss the procedure for identification of tribal areas and examine its significance and challenges in protecting tribal interests in India through different case laws. (CO1) (Evaluate) (HOT)

UNIT II

Section A (10 marks)

11. State the significance of Article 330 and Article 332 in ensuring political representation of Scheduled Tribes. (CO2) (Remember) (LOT)
12. Examine the political and economic related safeguards available to Scheduled Tribes under the Indian Constitution, 1950 along with relevant case laws. (CO2) (Understand) (LOT)

13. Identify the categories of people entitled to claim rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (CO2) (Remember) (LOT)
14. Evaluate the role of judicial pronouncements in shaping reservation as an educational safeguard for socially and economically backward classes in India, with reference to leading case laws. (CO2) (Evaluate) (HOT)
15. List the authorities constituted to vest the forest rights in forest dwelling tribes and other dwellers under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. (CO2) (Remember) (LOT)
16. In a writ petition challenging the constitutional validity of the Forest Rights Act, 2006, environmental groups argue that the Act leads to deforestation and conflicts with laws such as the Wildlife (Protection) Act, 1972 and the Forest Conservation Act, 1980. At the same time, forest-dwelling communities claim that the Act protects their livelihood and addresses historical injustices.
Apply the provisions of the Forest Rights Act, 2006 and relevant constitutional principles to examine whether such claims justify the validity of the Act. Support your answer with landmark case laws. (CO2) (Apply) (HOT)
17. Analyze the legal requirements for attracting Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. With reference to relevant case laws, examine how the elements of knowledge of caste status, intention to insult, and evidentiary standards influence the applicability of this provision vis-à-vis relevant offences under the Indian Penal Code (CO2) (Analyze) (HOT)
18. Assess the scope and significance of Article 16 of the Indian Constitution in providing reservation in public employment as a service safeguard for socially and economically backward classes with reference to relevant judicial pronouncements. (CO2) (Evaluate) (HOT)

Section B (20 marks)

19. 'A dispute arises wherein an individual uses the term "*chamar*" while addressing a member of a Scheduled Caste in a place within public view. The accused contends that the expression merely denotes caste identity and lacks any intention to insult.'
Apply the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, along with relevant judicial interpretations, to determine whether such conduct constitutes an offence. In your answer, consider the significance of intention, context, and the contemporary social meaning of the expression. (CO2) (Apply) (HOT)

20. 'A member of a Scheduled Tribe in Jharkhand transfers his agricultural land to a non-tribal person without obtaining prior permission from the competent authority. Subsequently, the transfer was challenged before the authorities under the Chotanagpur Tenancy Act, 1908.' Analyze the legality of the transfer under Section 46 of the Act. Examine the scope of restrictions on transfer of tribal land, the role of competent authorities, and the consequences of such unauthorized transfers. (CO2) (Analyze) (HOT)
21. Evaluate the effectiveness of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 in addressing various forms of atrocities such as social humiliation and violence against SCs and STs. Illustrate your answer with relevant examples. (CO2) (Evaluate) (HOT)

UNIT III

Section A (10 marks)

22. Define 'Scheduled Areas' under the Fifth Schedule of the Indian Constitution, 1950 and list the key features relating to their declaration. (CO3) (Remember) (LOT)
23. State the constitutional provisions relating to the identification of Scheduled Tribes under Article 342 and the declaration of Scheduled Areas under the Fifth Schedule. (CO3) (Understand) (LOT)
24. Enumerate the key provisions relating to the administration and control of Scheduled Areas under the Fifth Schedule of the Indian Constitution, 1950. (CO3) (Remember) (LOT)
25. Outline the principal provisions governing the power and functions of District Councils and Regional Councils in Scheduled Areas under the Sixth Schedule of the Indian Constitution, 1950. (CO3) (Remember) (LOT)
26. Analyze the reasons for dissatisfaction with the functioning and effectiveness of special constitutional provisions for tribal areas in India, despite their existence. (CO3) (Analyze) (HOT)
27. A Gram Sabha in a Scheduled Area opposes the acquisition of land for a development project, but the State authorities proceed without its consent. Apply the provisions of the PESA Act, 1996 to determine the legality of the State's action. (CO3) (Apply) (HOT)
28. Analyze the role of the Gram Sabha under the PESA Act, 1996 in ensuring self-governance and protection of tribal rights in Scheduled Areas. (CO3) (Analyze) (HOT)

Section B (20 marks)

29. Critically assess the applicability and effectiveness of the Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA) in Jharkhand, with particular reference to its implementation challenges and its impact on tribal self-governance. (CO3) (Evaluate) (HOT)
30. Analyze the legal issues involved in *Samatha v. State of Andhra Pradesh (1997) 8 SCC* concerning the grant of mining leases in Scheduled Areas. Examine how the Supreme Court interpreted laws relating to the prohibition of transfer of tribal land to non-tribals and its implications for tribal land rights. (CO3) (Analyze) (HOT)
31. A tribal region demands greater autonomy and control over legislative, financial, and judicial matters. The State government proposes to administer the area under the Fifth Schedule, while local leaders argue that Sixth Schedule status would be more appropriate. Apply your understanding of the Fifth and Sixth Schedules to determine which framework would be more suitable for the region, giving reasons based on their powers and institutional structures. (CO3) (Apply) (HOT)

UNIT IV

Section A (10 marks)

32. Define kinship and list the different forms of family found among Indian tribes. (CO4) (Remember) (LOT)
33. A tribal community follows matrilineal descent, clan exogamy, and allows cross-cousin marriage. Assess the type of tribal kinship systems to identify and explain the type of social organization reflected in this community, with examples. (CO4) (Evaluate) (HOT)
34. Apply your knowledge of tribal kinship and marriage systems to explain how they influence inheritance and residence patterns in any one tribal community. (CO4) (Apply) (HOT)
35. Critically analyze the general rule of inheritance and succession in customary law of Mundas and the Oraons. (CO4) (Analyze) (HOT)
36. Explain the social organization of the Santhal tribe with reference to kinship and family (CO4) (Understand) (LOT)
37. Assess the customary law relating to adoption prevailing among the Mundas and Oraons tribes of Jharkhand. (CO4) (Evaluate) (HOT)
38. Outline the inheritance rights of tribal women with respect to partition and distribution of property, using landmark case laws. (CO4) (Understand) (LOT)

Section B (20 marks)

39. In a Munda tribal village, after the death of the family head, a dispute arises among his children regarding the division of ancestral property. The eldest son claims a larger share as the head of the family, while the other siblings demand equal distribution. In light of Munda kinship and inheritance practices, illustrate how this dispute should be resolved. (CO4) (Apply) (HOT)
40. Evaluate the legal dimensions of ‘adoption’ and ‘guardianship’ within the customary tribal legal framework, with particular focus on the rights of tribal women regarding inheritance. (CO4) (Evaluate) (HOT)

Summary Sheet

CO Wise

CO	Q. No	Marks
CO1	1,2,3,4,5,6,7,8,9,10	120
CO2	11,12,13,14,15,16,17,18,19,20,21	140
CO3	22,23,24,25,26,27,28,29,30,31	130
CO4	32,33,34,35,36,37,38,39,40	110
Total		500

Unit Wise

Unit	Q. No	Marks
Unit 1	1,2,3,4,5,6,7,8,9,10	120
Unit 2	11,12,13,14,15,16,17,18,19,20,21	140
Unit 3	22,23,24,25,26,27,28,29,30,31	130
Unit 4	32,33,34,35,36,37,38,39,40	110
Total		500

Blooms Taxonomy Level (BTL) Wise

BTL	Q. No	Marks
LOT	1,2,3,4,5,11,12,13,15,22,23,24,25,32,36,38	160
HOT	6,7,8,9,10,14,16,17,18,19,20,21,26,27,28,29,30,31,33,34,35,37,39, 40	340
Total		500

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Disclaimer: -This is a Practice set. The Question in End term examination will differ from the Practice set. This Practice set is meant for practice only.