


Time of Examination	:	
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Note: - Pl. start your question paper from next page

Model Question Paper (Blank) is on next page

Name:			
Enrolment No:			
UNIVERSITY OF PETROLEUM AND ENERGY STUDIES End Semester Examination, December 2022			
Course: Coal Mining Laws		Semester: IX	
Program: BA-LLB-Energy Law		Tim: 03 hrs.	
Course Code: CLEL 5004		Max. Marks: 100	
Instructions:			
SECTION A 10Qx2M=20Marks			
S. No.	Define the following	Marks	CO
Q 1	Open Cast Mining	2	CO1
Q 2	Fixed Carbon & Calorific Value	2	CO1
Q 3	Coal Blending & Stowing practices in Conservation of Coal	2	CO1
Q 4	Fiery Seams & Gassy Seams in Coal Mines	2	CO1
Q 5	Open Cast Workings	2	CO1
SECTION B 4Qx5M= 20 Marks			
Q 1	Discuss the Statute Provisions in Mining in respect of a) Development of minerals as per MMDR Act 1957 – Section 18A.	5	CO2

	b) Powers of GOI /State Govt. wrt Search Operations in Mines as per MMDR 1957.		
Q 2	Deliberate the provision brought out in MMDR Act 1952 in respect of Rights & Liabilities of Licensee & Lessee as per Section 24 of Mines Act 1952 OR Bring out the Causatives, Investigations & Consequences of Chas Nala Coal Mine Disaster in Jharkhand State.	5	CO2
Q 3	Discuss & elaborate the a) Regulatory Roles of DGMS & CMPDI in Coal Industry. b) Elaborate the environment pollution & pollution candidates in Coal Industry OR Bring out the Broad Elements of Mineral Concession Rules – 1960 pertaining to the provisions of Grant of Mining lease in respect of Land in which minerals/mineral Rights Vest with the Government.	5	CO2
Q 4	Elaborate the Concepts & provisions of Returns, Notices & Records as per Coal Mines Regulations, 2017 (Section 3-9, Chapter II). OR Elaborate the Causatives of recent global disruptions including India in Coal Sector & it's impact on the Power Generation Plants & other manufacturing sector	5	CO2
SECTION-C 2Qx10M=20 Marks			
Q 1	Elaborate & Critically Analyze the statute provisions in respect of Respecting Intentions to Coal Prospecting & Mining rights as brought out in a) Section 4&5 of Coal Bearing Areas (Acquisition & Development) Act, 1957. B) Deliberate the process of Determining Compensation as per Section 13 &14 of the Act.	10	CO3
Q 2	Deliberate & critically apply the provisions wrt a) conservation & development of Coal Mines as per Chapter II of the Coal Mines (Conservation & Development) Act 1974.	10	CO3

	<p>b) Analyze the specific provisions to Utilize the Proceeds of Customs & Excise duties collected as per section 7&8.</p> <p>c) Bring out the detailed classification of Coal along with their distinguishing features</p>		
<p>SECTION-D</p> <p>2Qs of 20+30 M (50 Marks)</p>			
Q 1	<p>Elaborate and critically analyze the defining elements including:</p> <p>a) Critical analysis & applications of Coal Mines Special Provision Act 2015 as brought out in Chapter II/III/IV (pertaining to auction & allotment; rights & obligations of Prior allottees; & power of Central govt for such matters).</p> <p>b) critical analysis & applications of Coal Index in India's Coal Sector.</p> <p>c) Critical analysis regarding functions of Coal Controller's Organization</p> <p>d) analytical insight of Coal Occurrences in India and kind of Coal produced there along with global Coal Occurrences.</p>	20	CO4
Q 2	<p>Read the Following Para and answer the three underlying questions of 10 marks each.</p>		
	<p>The serious malpractices in Coal Allocation scam got unearthed by Supreme Court in 2012 when the Comptroller and Auditor General brought out serious allegations against the GOI in coal block allocations to public/private enterprises with mollified intentions. Against the total 216 coal blocks allotted during 1993-2010, 194 coal blocks were sold to these public and private enterprises for only captive use. CAG reported arbitrary administrative decisions in coal block allocations without following the competitive bidding procedure & norms. The Group of Minister's Screening Committee was constituted for all the decisions on coal block awards. The GOM led Screening Committee was Constituted to take entire administrative processes decisions. Initially the loss of Rs.10.6 lakh Crores to the exchequer was established. While the final report tabled in Parliament displayed the figure at Rs. 1.86 lakh crore. There were allegations of rampant favoritism to some private players. Report stated</p>	30	CO4

that many private players got more coal blocks than needed for captive operations, with some companies selling coal in open market illegally. Coal allocation case was questioned for going beyond the powers conferred on them by the coal centric statutes. Neither of the MMDR Acts 1952,1957, Mineral Concession Rules,1960 ,Coal Mines (Nationalization)\ Act, 1973 were followed as per the petitioners in Supreme Court. The case of Manohar Lal Sharma v. The Principle Secretary & Others proved the biased nature of Govt allocations without auction and accused were charged under the provisions of the Prevention of Corruption Act, 1988. The SC declared the allocations illegal. The arbitrariness of the GOI along with their actual authority was questioned by CAG in its report. Adding of a statute to make the process of competitive bidding in the allocation process was accepted in 2010 after the 1957 Act was amended.

1. Analyze judicially the validity of the then Govt's Stand in adopting the GOM led screening Committee route for Coal Block Allocation.
2. Critically analyze & apply the prime observations & findings of CAG in the Coal Scam and the basis of their outcome.
3. Analyze the possibility of applying the available Statutes rather than Screening Committee mode for Coal Block Allocation by GOI. Justify the Conclusions & observations of Supreme Court with facts in the Coal Gate Scam.