

<b>Name:</b>	 <b>UPES</b> UNIVERSITY WITH A PURPOSE
<b>Enrolment No:</b>	

**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**  
**End Semester Examination, December 2021**

**Course:** Aviation, Air & Space Law **Semester: VII**  
**Program:** BA., LL.B. (HONS.) CRIMINAL/CONSTITUTIONAL/ENERGY LAW  
**Time:** 03 hrs.  
**Course Code:** CLCC4015P **Max. Marks: 100**

**Instructions: Attempt all questions as per the instructions**

**SECTION-A**  
**Attempt all question**

	Answer the following questions-	Marks	CO
Q.1.	Which period is referred to as the second stage of development of Space Law?	02	CO1
Q.2.	What do you mean by “res communis”?	02	CO2
Q.3.	What are the differences between an astronaut and a space tourist?	02	CO2
Q.4.	What do you mean by cabotage?	02	CO1
Q.5.	What is a “scheduled aircraft”?	02	CO1

**SECTION B**  
**Attempt all question**

Q.6	““At some point there is a limit to the extension of territorial sovereignties’. It is only hoped that in due course practical international necessities will lead to its definition”. Analyze the above statement.	5	CO4
Q.7	Examine the concept of Space Tourism and its growing relevance in Space Law domain.	5	CO3
Q.8	Describe the steps that have to be taken by a contracting party when an astronaut makes a distressed landing on its territory.	5	CO2
Q.9	Summarize the steps mentioned in Hague Convention, 1970 regarding initial response, negotiation & extradition with the help of a suitable example.	5	CO4

**SECTION-C**  
**Attempt all question**

Q.10.	Demonstrate the growth of Space Law in the 3 <sup>rd</sup> & 4 <sup>th</sup> stage of development.	10	CO3
Q.11.	Illustrate the rights & duties of the contracting parties as given under the Moon agreement.	10	CO3

**SECTION-D**  
**Attempt all question**

<p>Q12.</p>	<p>Hogwarts is a nation on west Atlantic coast and is one of the flag bearers of Space Exploration. Since 1970 it has sent manned mission to moon &amp; mars and in 2000 it sent a manned mission to Neptune to study about it. It landed in Neptune in 2018 &amp; the astronauts started making a space station for housing its 6 astronauts.</p> <p>The Registration Convention was followed and Hogwarts registered by giving information that the object of the mission was to “study the soil of Neptune” Hogwarts made an elated announcement to the international community about the progress of humankind and how it will shape the future. Meanwhile in between 2018-2020 there was not much news heard about the developments in Neptune.</p> <p>In 2020 a spacecraft of another country called Angaraland planned to send a manned mission to Neptune. Hogwarts objected to this development and claimed that Angaraland can send mission, however it should stay away from the area of the Hogwarts space station as Hogwarts controls the area. This news fumed the entire international community. Further developments happened when a NASA observatory noticed that the surface of Neptune where Hogwarts space station was located showed significant change in the colour and nature of the soil. It seemed that there was a mining activity going on.</p> <p>Hogwarts claimed that no space convention restricts mining. Angaraland on the other hand claimed that such mining is illegal and hiding such facts are inconsistent with international space law. Moreover UNCOPUOS made a statement that the objective of establishing space station can only be research and any malafide intention defeats that right, though UNCOPUOS didn’t clarify if Hogwarts indeed was doing anything illegal. Angaraland moved to ICJ against Hogwarts and claimed that Hogwarts should be held liable for breaching space law as it had lied in the registration process as well</p>	<p>25</p>	<p>C04</p>
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	<p>since “mining” is not similar to “studying the soil”. Moreover, Angaraland accused Hogwarts of violating the provisions of Moon Treaty as well. Decide the issue.</p>		
<p>Q13.</p>	<p>Dell Airlines flight no D-451 crashed enroute Paris to Vienna. 250 people died including the pilots and the crew. Dell Airlines claimed that the aircraft they used belong to Toeing company and was a Toeing-738 model.</p> <p>Dell claimed that the aircraft crash was not because of the fault of the pilot but because of the fault in the aircraft. Toeing on the other hand claimed that their aircraft was in perfect condition as many airlines used the same aircraft and rather it was the crew of Dell who did not follow safety precautions as was required.</p> <p>Determine the nature of liability and who is liable to pay damages to the deceased people as per the conventions of aviation law.</p>	<p><b>25</b></p>	<p><b>C04</b></p>