


Name:			
Enrolment No:			
<b>UPES</b> <b>Set 1 End Semester Examination, December 2023</b>			
<b>Course: COAL MINING LAWS</b>		<b>Semester - IX</b>	
<b>Program: BA-LLB- ENERGY LAW</b>		<b>Time : 03 hrs.</b>	
<b>Course Code: CLEL 5006</b>		<b>Max. Marks: 100</b>	
<b>Instructions:</b>			
<b>SECTION A</b> <b>(5Qx2M=10Marks)</b>			
S. No.	Define the Following	Marks	CO
Q 1	Coal Index	2	CO1
Q 2	Ore Beneficiation	2	CO1
Q 3	Stowing Operations	2	CO1
Q 4	Role of Nominated Authority in Coal Mines Spl. Provision Act 2015	2	CO1
Q5	Role Commissioner Of Payments & designated Custodians Coal Mine spl. Prov. Act 2015	2	CO1
<b>SECTION B</b> <b>(4Qx5M= 20 Marks)</b>			
Q 6	Review & infer the provisions brought out in MMDR Act 1952 in respect of Powers of Inspectors/Spl. Officers along with facilitation to be afforded to Inspectors by the mine owners/agents.( Section 7-9)	5	CO2
Q 7	Discuss the Statute Provisions in Mining in respect of MMDR Act 1957	5	CO2

	in respect of restriction on undertaking Prospecting & mining (Chapter 2 – Section 4 to 6)		
Q 8	<p>Review &amp; summarize the Regulatory Roles of IBM &amp; DGMS in Coal Industry.</p> <p style="text-align: center;"><b>OR</b></p> <p>Review &amp; Explain the Key provisions of Mineral Concession Rules – 1960 pertaining to the provisions of grant of procedure for Approval of Mining Plans &amp; related issues (Section 22A/B/BB)</p>	<b>5</b>	<b>CO2</b>
Q 9	<p>Identify &amp; demonstrate the Concepts &amp; provisions of accident &amp; disease as per Coal Mines Regulations, 2017 (Section -8&amp;9)</p> <p style="text-align: center;"><b>OR</b></p> <p>Review &amp; explain the Impact of recent global disruptions including India in Coal Sector &amp; it's impact on the Power Plants &amp; steel Generation</p>	<b>5</b>	<b>CO2</b>
<p><b>SECTION-C</b></p> <p><b>(2Qx10M=20 Marks)</b></p>			
Q 10	<p>Elaborate and critically analyze the defining elements including:</p> <p>a) Critical analysis &amp; applications of Coal Mines Special Provision Act 2015 as brought out in Chapter II/III/IV (pertaining to auction &amp; allotment; rights &amp; obligations of Prior allottees; &amp; power of Central govt for such matters).</p> <p>b) critical analysis &amp; 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. Illustrate &amp; Critically examine the statute provisions in respect of Respecting Intentions to Coal Prospecting &amp; Mining rights as brought out in a) Section 4&amp;5 of Coal Bearing Areas (Acquisition &amp; Development) Act, 1957. B) Deliberate the process of Determining Compensation as per Section 13 &amp;14 of the Act.</p>	<b>10</b>	<b>CO3</b>

Q 11	<p>Deliberate &amp; critically apply the provisions wrt</p> <p>a) conservation &amp; development of Coal Mines as per Chapter II of the Coal Mines (Conservation &amp; Development) Act 1974.</p> <p>b) Analyze the specific provisions to Utilize the Proceeds of Customs &amp; Excise duties collected as per section 7&amp;8.</p> <p>c) Bring out the detailed classification of Coal along with their distinguishing features</p>	10	CO3
<b>SECTION-D</b> <b>(2Q's = 25+25 Marks)</b>			
Q 12	<p>Critically Synthesize, evaluate &amp; apply the key Provisions brought out in the Coal Mines Regulations Act 2017 in respect of Following Coal Prospecting &amp; mining applications/operations .</p> <p>a) ,Modifications in Notices in respect of Opening of Mines/Abandonment &amp; Closure of mines/reopening of mines/change in ownership/ &amp; Records - as per Chapter 2 , Section 3-8</p> <p>b) b) Modifications in respect of Notice of Accident dangerous Occurrences &amp; notice of disease as per section 8,9</p> <p>c) Provisions in respect of Duties &amp; responsibilities of Mines management – Owner /mines manager/Safety Officers in mines</p> <p>d) Provisions in terms of general requirements &amp; types of Mines Plans ( Chapter VI , Section 64 &amp; 65 .</p>	25	CO4
Q 13	Read the following Para & answer the three underlying Questions		
	For the first time in the History of India the Coal Allocation malpractices / scam was meticulously and systematically unearthed by Hon.Supreme Court of India in the year 2012 when the Comptroller and Auditor General brought out serious allegations against the GOI in coal block allocations	25	CO4

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 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. Evaluate & synthesize the validity of the then Govt's Stand in adopting the GOM led screening Committee route for Coal Block Allocation without paying any heed to existing competition .

	<p>2. Justify Critically analyze the prime observations &amp; findings of CAG in the Coal Scam and the basis of their outcome.</p> <p>3. Critically Analyze &amp; justify the possibility of applying the available Statutes rather than Screening Committee mode for Coal Block Allocation by GOI. Justify the Conclusions &amp; observations of Supreme Court with facts in the Coal Gate Scam.</p>		
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