

Name:	
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
Online End Semester Examination, May/June 2021

Course: Law Relating to Coal Mining	Semester: II
Program: LL.M(Spl.: Energy Law)	Time 03 hrs.
Course Code: CLEL7013	Max. Marks: 100

SECTION A

- 1. Each Question will carry 5 Marks**
- 2. Instruction: Short answers/Complete the statement / Select the correct answer(s)**

S. No.	Question	CO
Q1	Define and distinguish NMET and DMF	CO1
Q2	Evaluate the role of ‘Nominated Authority’	CO1
Q3	The relation and difference between the Coal Mine Regulations 2017 and Coal Blocks Allocation Rules, 2017	CO2
Q4	Explain the relation between the Coal Mines (Conservation and Development) Act, 1974 and Jharia-Raniganj Master Plan	CO2
Q5	Analyse the role of Chief Inspector or Inspectors of Mines	CO1
Q6	Write a short note on the amendment of the MMDR Act 1957 and CMSP Act which was promulgated on 10th January 2020	CO2

SECTION B

- 1. Each question will carry 10 marks**
- 2. Instruction: Write short / brief notes on each part of the questions**

Q7	Elucidate the evolution of mines legislation in India. Discuss the main attributes of Shah Commission report on illegal mining.	CO2
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Q8	'Since 2014, the Indian coal sector has seen extensive regulatory changes across the board', Explain the legislative, regulatory and institutional changes in details and its impact on the sectoral activities	CO2
Q9	Explain the methodology for the Auction of Coal Mines/Blocks for the sale of coal and fixing floor price for Auction for different sectors (like Steel, Sponge Iron, Cement, Captive Power, etc.), tariff-based bidding, or the Government Companies for specified end-uses.	CO3
Q10	Analyse the working two important administrative bureaus or directorates which take care of conservation, scientific development of mineral resources and regulate enforcement safety regulatory standards of mining in India.	CO3
Q11	Describe the main features of the Coal Bearing Areas (Acquisition and Development) Act, 1957. Discuss the terms & conditions and method of determining the compensation under the provisions of this Act.	CO3
Section C		
<p>1. The Question carries 20 Marks. 2. Instruction: Write a long answer.</p>		
Q12	<p><i>Read the extract and answer the questions a to c:</i></p> <p>The entire allocation of coal block as per recommendations made by the Screening Committee from 14-7-1993 in 36 meetings and the allocation through the Government dispensation route suffers from the vice of arbitrariness and legal flaws. The Screening Committee has never been consistent, it has not been transparent, there is no proper application of mind, it has acted on no material in many cases, relevant factors have seldom been its guiding factors. There was no transparency and guidelines have seldom guided it. On many occasions, guidelines have been honoured more in their breach. There were no objective criteria, nay, no criteria for evaluation of comparative merits. The approach had been ad hoc and casual. There was no fair and transparent procedure, all resulting have, thus, suffered heavily. Hence, the allocation of coal blocks based on the recommendations made in all the 36 meetings of the Screening Committee is illegal. The allocation of coal blocks through the Government dispensation route, however laudable the object may be, also is illegal since it is impermissible as per the scheme of the CMN Act.</p> <p><i>a. Name the case. Elucidate the ground on which the petitioners challenges the allocations of coal blocks made by the Central Government since 1993. Discuss the gist of central government arguments in this case.</i></p> <p><i>b. What were the six main aspects, the Court issued notice to Union of India and directed it to file counter affidavit through Secretary, Ministry of Coal in this case? Explain the five grounds on which the court observed that the submission given by the Attorney General does not have any merit.</i></p> <p><i>c. Discuss why the opening up of commercial mining for the private sector is considered to be the most ambitious coal sector reform in India and its success and challenges so far.</i></p>	CO4