

Name:	
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, May,2019

Course: Air & Space Law	Semester: VI
Programme: BA.LLB Energy Laws/ B.A.LL.B. Constitutional/Labour/Criminal Laws	CC:LLBL406
Time: 03 hrs.	Max. Marks: 100
Instructions: All questions are compulsory	

SECTION A

S. No.	Attempt All Questions	Marks	CO
Q1	The Registration Convention was entered in the year	2	CO 2
Q2	The propounder of Karman Line is	2	CO 1
Q3	“Common Province of Mankind” has been borrowed from Treaty.	2	CO 2
Q4	The National Space Body of India is	2	CO 3
Q5	The first Convention regarding Air Law was...	2	CO 4

SECTION B

S. No.	Attempt All Questions	Marks	CO
Q6	“Establishing a boundary altitude ‘might fetter Space activities or needlessly interfere with the existing regime of international aviation’.. Explain the theory.	10	CO 1
Q7	Which stage of Space Law Development is called the “Soft Law” stage? Describe the developments of this stage.	10	CO 3

SECTION-C

S. No.	Attempt All Questions	Marks	CO
Q8	Which treaty talks of the concept of “Res Extra commercium”? Draw an outline of the treaty stating its important provisions.	10	CO 3
Q9	Describe the Concept of Space Debris and the legal aspects of the same.	10	CO 2

SECTION-D

S. No.	Attempt All Questions	Marks	CO
Q10	Partistan is a country on the western border of Sindia nation. The countries have a bitter history of 70 years having fought 4 wars with each other. In 2019 January Sindia entered into a Joint Space operation Program with Jafghanistan which was on the western border of Partistan regarding launching of a unmanned spacecraft to study the atmospheric conditions of India & Jafghanistan. While it was decided that Sindia would fund the entire project, Jafghanistan desert would be used for launching of the	25	CO 3

	<p>spacecraft SIND-JAF X and in return, Jafghanistan would get the information received from the space as well. In April 2019, due to some technical error, the spacecraft “SIND-JAF X” first collided with Partisitan Satellite in Outer Space and then crashed into Partistan territory. Partistan without informing Sindia of the crash demanded 200 Million Partistan Rupees as compensation through diplomatic channels. India did not respond and finally a Claims Commission was formed. The 3rd member was decided by the UN Secretary General from a neutral nation. Partistan demanded that Sindia should take absolute liability since the SpaceCraft crashed in Pakistan. Sindia on the other hand claimed that Jafghanistan is also a Launching State and should share the liability. Moreover Sindia further claimed that Partistan has not informed Sindia of the crash as needed under Rescue Agreement. Now you are to assume the role of the Chairman of Claims Commission and decide the issues relating to who is liable, what is the amount of liability, role of Partistan, applying the provisions of Public International Law & Space Law conventions. (Sindia, Partistan & Jafghanistan are all parties to the major Space Conventions.)</p>		
<p>Q11</p>	<p>Mankind has always been hunting for life beyond earth. The interest of man for Extra Terrestrial life has been the subjects of many movies, books and fictions. One such scientist named Mr. Rakesh Roshan claimed that he can communicate with the aliens through some special computer programme. His claims were laughed off by the scientific community. He died in an accident but his son Hrithik Roshan took off his father’s job of communicating with the life beyond the earthly realms. On March 142019, there was huge thunderstorm in Kasaul town of Sindustan where Hrithik used to stay. There was a very bright illumination in the sky and people saw a giant round dish type object in the sky. But it disappeared within minutes. Things returned to normal but the secret service of Sindustan started tracking Hrithik’s activities and started to suspect him of hiding something. There was a raid in his house and a blue colored living being was found which walked on two feet. The entity was captured. After rounds of interrogation Hrithik confessed that it is an Alien which came in the space object on 14th March night. Sindustan did not make a formal announcement of the same but the news spread slowly. The world community did not take this in good spirit and demanded that India should share its information with the entire scientific community since space belongs “entire province of mankind”. United Provinces of Africa, moved to the ICJ against Sindustan claiming that Sindustan has violated the Outer Space Treaty and Moon Agreement by hiding the fact from the world and keeping the knowledge of the Alien with them only.</p> <p>Now you have to adjudicate the matter by framing the issues taking into consideration the provisions of International Law & Space Law. Sindustan is a party to all major Space Conventions.</p>	<p>25</p>	<p>CO3</p>

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SECTION A

S. No.	Attempt All Questions	Marks	CO
Q1	The Liability Convention was entered in the year	2	2
Q2	The limit of Karman Line is miles	2	1
Q3	The Concept of Joint Operation Liability is found in Article ... of the Liability Convention	2	3
Q4	The recent ASAT missiles launched by India is called Mission	2	2
Q5	The concept of State Sovereignty in Air Law is real/imaginative. (Choose the Correct Option)	2	4

SECTION B

	Attempt All Questions		
Q6	“Subsumed in this school is the theory of a uniform legal regime, which insists that both air flights and space flights should be subject to the same rules of law.” Explain the theory	10	1
Q7	Which stage of Space Law Development is called the “Constitutional” stage? Describe the developments of this stage.	10	2

SECTION-C

	Attempt All Questions		
Q8	Which treaty talks of the concept of “Astronaut Protection” Draw an outline of the treaty stating its important provisions.	10	4
Q9	Describe the Concept of National Space Legislation	10	2

SECTION-D

	Attempt All Questions		
Q10	Prussia & Domand are both parties to all the major space conventions. Prussia is an advanced space nation and has made significant contribution in the field of space. Domand is a developing country trying to make inroads in space field in the recent years. The Prussian government launched 2 space crafts, one manned and the other	25	3

	<p>unmanned in April 2019. After a week's operation the manned space craft faced a technical glitch and crashed in the territorial waters of Domand. The Unmanned spacecraft which was dependent on the manned spacecraft also crashed in the terrestrial area of Domand. Domand government immediately informed UN Secretary General of the crash of the unmanned spacecraft but refused to clean the debris of the spacecraft alleging that the spacecraft contained Nuclear elements. The astronaut in the manned spacecraft somehow made it to the shores of Domand and was arrested by Domand government. The Domand President made a statement that since the unmanned spacecraft contained Nuclear elements, the manned spacecraft is also under scrutiny and hence for security of the nation, the astronaut has to be interrogated and can't be given a safe passage. Prussia moved to ICJ where Domand also submitted its cause. Now decide the case as per the provisions of International Law & Space Law.</p>		
Q11	<p>Republic of Stator is a country which has made much progress in space in the 21st Century. The SSRO (Stator Space Research Organisation) has researched a lot in the field of space. In April 2019 India launched ASAT missiles in space which was announced by the Prime Minister of Stator. 2 weeks later it was reported that the ASAT missiles has caused huge space debris and the space debris has wrecked the parts of Cino Space Station. Cino is a neighboring country of Stator. Cino alleged that India has misused Space Law provisions as there is no such permission to launch ASAT missiles in the space. Moreover the space debris causing damage to Cino Space Station has made India liable absolutely. Bengalistan another neighboring country of Cino accused Cino of causing damage to Bengalistan property as parts of Space Station Debris fell in Bengalistan. There was a complete failure of diplomatic discussions as Stator and Cino could'nt reach a conclusion among themselves. Bengalistan moved ICJ against Cino and claimed damages under Liability Convention. Cino on the other hand blamed Stator for the damages and submitted to ICJ that Stator is absolutely liable to both Cino & Bengalistan.</p> <p>Now decide the dispute on two grounds.</p> <ol style="list-style-type: none"> 1. Nature of Liablilty. 2. Who is liable to pay to Bengalistan. 3. Whether no expression bar on ASAT satellite launch means a permission to launch the same. <p>Apply the provisions of International Law, Space Law and Rational arguments to decide the issues. All 3 nations are parties to the Space Conventions.</p>		2