

Name:

Enrolment No:



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

**Course: Aviation law**

**Semester: VI**

**Program: BA LLB (Hons.) Energy Law 2016 and BA LLB (Hons.) Criminal/Constitutional/Labor Law**

**Time: 03 hrs.**

**Course Code: LLBL407**

**Max. Marks: 100**

**Instructions: Attempt all the questions.**

S. No.		Marks	CO
Q1	_____ of 2001 created an international regime for the registration of security interests in aircraft and certain other large movable assets.  a. Cape Town treaty b. Tokyo c. Montreal d. Warsaw	2	CO1
Q2	Who governs the laws regarding registration of an aircraft? a. Lex domicili b. Lex causae c. Lex fori d. Lex registry	2	CO1
Q3	The Tokyo Convention was enacted new international standards for the treatment of _____ offenses on or involving aircraft a. Civil b. Criminal c. International d. Minor	2	CO1
Q4	ICAO is a body under _____. a. Ministry of civil aviation b. Ministry of transport c. United Nations	2	CO1

	d. International Court		
Q5	DGCA draws its authority from: a. Airport Act b. Airlines Act c. Aircraft Act d. Ministry of civil aviation	2	CO1
<b>SECTION B</b>			
Q6	Interpret the growth and development of aviation law with the perspective of history in both international and domestic circle.	10	CO2
Q7	What is crashworthiness? Discuss product liability of the manufacturer with the help of an example.	10	CO2
<b>SECTION-C</b>			
Q8	Discuss the various theories on applicability of penal law on an aircraft.	10	CO2
Q9	'Aviation insurance is insurance coverage geared specifically to the operation of aircraft and the risks involved in aviation.' Discuss the general principles of insurance law in this context.	10	CO2
<b>SECTION-D</b>			
<p>Air France Flight 406 was an international scheduled passenger flight originating in Brazzaville, Congo with a final destination of Paris, France, with intermediate stops in Fort Lamy, Chad, and Marseille, France. The flight was flown by Lockheed L-1649 Starliner, F-BHBM <i>De Grasse</i>.</p> <p>After taking off from Fort Lamy and while cruising at an altitude of approximately 20,000 feet, the Starliner broke up after its empennage failed. The aircraft crashed to Earth approximately 35 miles from Edjele oilfield and near the Libya border. All people on board Flight 406 were killed in the crash.</p> <p>18 children were killed in the crash of Flight 406. Among them were the three young children, who, along with their mother Polly Lukens, the wife of the United States Charge d'Affaires in the Central African Republic, were on Flight 406 headed for London. Also among the dead were the Count and Countess de Morte Mart plus two Central African Republic Ministers. Rumors began to surface after Flight 406's crash that it had been an assassination by enemies of the Central African Republic.</p> <p>With these set of facts answer the following questions:</p>			
Q10	How is risk liability different from unlimited and product liability? Substantiate the differences with the help of relevant provisions from all the international conventions on aviation law.	10	CO2
Q11	Examine the liability of the carrier as it developed through Warsaw convention to Montreal convention.	10	CO2
Q12	What are the different kinds of aircraft maintenance? What guidelines have been provided by the ICAO?	15	CO2
Q13	Analysis the role of State as discussed in Chicago convention and the Aircraft Act.	15	CO2

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Q1	_____ determines the tariff for the aeronautical services: a. FEMA b. FERA c. RERA d. AERA	2	CO1
Q2	Under the aircraft act, no building or structure can be constructed or erected, or no tree shall be planted on any land within the radius, not exceeding _____ from the aerodrome reference point: a. 20 meters b. 22 kilometers c. 22 meters d. 20 kilometers	2	CO1
Q3	The Chicago convention is applicable to: a. State aircrafts b. Civil aircrafts c. Military aircrafts d. Police aircrafts	2	CO1
Q4	The _____ was founded in 1919 in a conference at The Hague, to foster cooperation between airlines in various commercial and legal areas. a. IATA b. ITAT c. ICAO	2	CO1

	d. IACO		
Q5	Air corporation Act was repealed to end the monopoly of : a. Air India b. Indian Airline c. Both d. None	2	CO1
<b>SECTION B</b>			
Q6	How has the world war history contributed to the development of Aviation law?	10	CO2
Q7	What is the difference between product liability and risk liability?	10	CO2
<b>SECTION-C</b>			
Q8	What is the liability of the carrier under Montreal convention?	10	CO2
Q9	What are the operator's maintenance responsibility under the Chicago convention?	10	CO2
<b>SECTION-D</b>			
<p>On 22 May 2010, a Boeing 737-800 passenger jet operating Air India Express Flight 812 from Dubai to Mangalore, India, crashed on landing at Mangalore. The Captain had continued an unstabilized approach, despite three calls from the First Officer to "go around", resulting in the aircraft overshooting the runway, falling down a hillside and bursting into flames. Of the 160 passengers and six crew members on board, only eight passengers survived. With its 158 fatalities, Flight 812 remains the deadliest accident involving the Boeing 737 Next Generation aircraft and was the deadliest accident involving all variants of Boeing 737 until Lion Air Flight 610 crashed in 2018 with 189 fatalities, and the third deadliest aviation disaster in India, after the 1996 Charkhi Dadri mid-air collision and the 1978 crash of Air India Flight 855.</p>			
Q10	What kind of damages are covered by the Rome convention?	10	CO2
Q11	Explain the different kinds of insurances in aviation law.	10	CO2
Q12	Discuss the scope of Tokyo and Hague convention.	15	CO2
Q13	What is the role of DGCA in the aircraft act?	15	CO2