



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

**Course:** Nuclear Energy Law  
**Program:** BA. LL.B. (Hons.) Energy LAW  
**Course Code:** CLEL4001

**Semester:** VII  
**Time** 03 hrs.  
**Max. Marks:** 100

**SECTION A**  
**(Type the answers in test box)**

**Objective Type Questions/Definitions/fill in the blanks** **5Qx2M=10 Marks**

Q.No.		Marks	CO
1	Describe the nature of international nuclear co-operation principles	2	CO2
2	Indian Nuclear Insurance Pool	2	CO1
3	Discuss the different types of nuclear Plant options for India.	2	CO1
4	Examine the main characteristics of India's first Atomic Energy Act.	2	CO1
5	Highlight the legal provision on liability for a nuclear accident can be channelled from the operator	2	CO2

**SECTION B**  
**(Scan and upload)**

**(Conceptual based question)** **4Q x5M=20 Marks**

Q. No		Marks	CO
6	Discuss the key drivers of nuclear energy industry development	5	CO1
7	Examine India's civil nuclear agreements with foreign countries	5	CO3
8	How does the focus of international nuclear law has evolved over a period in reaction to events?	5	CO3
9	Discuss & analyses the principal roles and responsibilities of International Nuclear Regulatory Agency IAEA and its relationship with NPT. How does these organizations impact the Nuclear Programmes of India?	5	CO4

**SECTION-C**  
**(Scan and upload)**

**(Descriptive/Analytical Questions)** **2Qx10M=20 Mark**

Q. No.		Marks	CO
10	Analyze the following statement, 'India has had a checkered history with the international nuclear order.'	10	CO2
11	It has been said that an institutionalized and effective regulatory mechanism and comprehensive legal framework is inevitable at global and national levels to carry out the nuclear energy operations, Analyze the main characteristics, principles, attributes and sources of an effective nuclear regulator.	10	CO4

**SECTION-D**  
**(Scan and upload)**

(Case Studies/ Application Based Questions)

2Qx25M =50 Marks

Q No		Marks	CO
12	<p>In this case the appellants filed a writ petition sought disclosure of information from the respondents relating to purported safety violations and defects in various nuclear installations and power plants across the country including those situated at Trombay and Tarapur. The said demand of information was made purported to be relying on or on the basis of an information that the Atomic Energy Regulatory Board (AERB) prepared a report in November, 1995 documenting therein safety defects and weaknesses citing 130 instances which are said to be matters of concern. The appellants contended that a former Chairman of the AERB, Dr. Gopalkrishnan also expressed serious concern about the safety of nuclear installations in India disclosing that serious accidents had occurred in some of the nuclear facilities including one at Narora Atomic Power Plant in the State of U.P. and Kaiga Atomic Power Plant situated in the State of Karnataka.</p> <p>The appellants had sought for disclosure of a report on safety of nuclear installations, submitted by the Atomic Energy Regulatory Board (AERB) to the Delhi government in November 1995, envisaging issues relating to purported safety violations and defects on various nuclear installations &amp; Power Plants across the country. It was contended by UOI that the report was classified as "Secret" as it pertains to several sensitive facilities carried out dummy nuclear installation and raised a plea of privilege in relation to the said report. The petitioners had moved the Supreme Court after the Bombay High Court had rejected their petition in January 1997. The petitioners had also raised doubt about the safety aspect with regard to disposal of nuclear waste. The Supreme Court held that for determining a question when a claim of privilege is made the following questions need to be answered:(i) whether the document in respect of which privilege is claimed, relation to affairs of any state;(ii) whether the disclosure of the contents would be against public interest.</p> <p>A. Critically evaluate the response of court while determining the above said questions? Analyze the Court's reason on the restrictions as regard disclosure of information as contained the Atomic Energy Act and specifies the areas where such disclosures are prohibited.</p> <p>B. The CAG report of 2012-13 highlighted certain long-standing concerns about the working of this regulatory body, analyse the main apprehensions on India's nuclear energy legal framework.</p>	25	CO4
13	<p>A. The resource rich, knowledgeable and quality/safety conscious countries could not avert nuclear emergencies. Throughout the world many developed countries are shutting down their nuclear reactors and start looking into alternative ways to produce energy in a safer and greener way. Evaluate that our densely populated and ill-prepared society ever hope to forestall the possible human catastrophe from a nuclear mishap? What is your opinion on our future nuclear energy options?</p> <p>B. Describe the evolution of India's civil liability regime. Is India's Civil Liability for Nuclear Damage (CLND) Act compatible with the Convention on Supplementary Compensation for Nuclear Damage (CSC).? What are the differences between the substantive rules on liability for nuclear damage under the international conventions and under national law?</p>	25	CO3