

**LEGAL AND REGULATORY GAPS IN THE COAL SECTOR AND THEIR  
MANIFESTATION IN THE PRACTICE OF ISSUING COURT ORDERS**

*Annotation. The article examines the impact of gaps in the regulatory framework of the Russian coal industry on the practice of issuing court orders. Key legislative problems have been identified: vague criteria of environmental responsibility, lack of uniform terms of coal supply contracts, insufficient elaboration of licesing standards, inconsistency of provision on social protection of workers and gaps in the regulation of digitalization processes. Using formal-legal, comparative-legal methods, the difficulties of applying writ proceedings due to legal uncertainty are analyzed – first, the difficulties of confirming the indisputability of claims and compliance with the limits of recovery amounts. Proposed optimization measures include unifying industry acts and contracts, standardizing environmental and social compensation calculations, raising the claim limit for writ proceedings, recognizing electronic documents as indisputable evidence, and developing digital platforms for court order applications.*

*Keywords. Coal industry, regulatory and legal regulation, gaps in legislation, court order, writ proceedings, civil procedure law, coal supply contracts, environmental responsibility.*

The coal industry plays a significant role in the Russian economy, ensuring energy security and export potential. However, its development is hindered by several legal and regulatory gaps that complicate not only business activities, but also the judicial protection of the right of participants in the relationship. These problems are particularly evident in the practice of issuing court orders, a simplified form of civil proceedings. The purpose of the article is to identify the

main legislative gaps in the coal industry and assess their impact on the efficiency of contract production.

An analysis of the current legislation allows us to identify key regulatory gaps in the coal industry. Firstly, there are vague criteria for environmental responsibility: the norms governing the environmental responsibility of coal enterprises are often formulated too generically. This makes it difficult to calculate the amount of damage using methods that do not take into the specifics of the coal industry, identify perpetrators with multiple sources of pollution, and justify claims in court due to the lack of clear criteria for assessing harm. As a result, when considering cases on the recovery of environmental payments or fines, the courts are faced with the need to interpret insufficiently clear rules, which leads to contradictory judicial practice.

Secondly, there is the problem of the lack of uniform terms of coal supply contracts. Contracts often contain contradictory or incomplete conditions regarding the quality of coal, delivery dates, settlement procedures and liability of the parties. This generates disputes that are difficult to resolve in the framework of writ proceedings, where the requirements must be indisputable.

Thirdly, there is a lack of elaboration of licensing standards. Licensing of activities in the coal industry is regulated by a set of regulations (the Law "On Subsoil" No. 2395-1, resolutions of the Government of the Russian Federation, departmental acts), but their provisions are not always consistent: there are different requirements for mining safety in different regions, there is no single standard for monitoring the condition of deposits, the criteria for suspension or cancellation of licenses are blurred. This creates uncertainty in assessing the legality of enterprises' actions and makes it difficult to apply liability measures.

These gaps negatively affect the practice of issuing court orders (Chapter 11 of the Civil Procedure Code of the Russian Federation), designed to simplify and speed up the consideration of indisputable claims. First, due to vague formulations in contracts and regulations, courts often cannot unequivocally recognize the

requirements as indisputable: for example, disputes over the quality of coal require expert examinations, disagreements over the number of environmental payments force clarification of calculation methods, and issues of social protection of employees are associated with the need to confirm seniority and working conditions. In addition, the writ sets a limit on the number of claims (Article 121 of the Civil Procedure Code of the Russian Federation), and gaps in the calculation of compensation (environmental, social) may lead to exceeding these limits, which excludes the possibility of issuing a court order. The uncertainty of the status of electronic documents is also a serious problem: the lack of clear rules for recognizing electronic data as indisputable evidence makes it difficult to file applications for court orders in electronic form, use digital contracts and acts as confirmation of claims, as well as the exchange of documents between the parties and the court through specialized platforms.

To eliminate the identified problems, a set of measures is proposed to optimize regulatory and legal regulation. First, it is necessary to unify industry acts and contracts: to develop standard forms of coal supply contracts with clear conditions of quality, deadlines, calculations and responsibilities, to standardize licensing requirements at the federal level and to create a unified register of industry regulations to eliminate contradictions. Secondly, compensation calculations should be standardized: methods for calculating environmental damage should be approved, considering the specifics of the coal industry, uniform rules for calculating social benefits and compensations for employees should be developed, and mandatory coefficients should be introduced to take into account regional specifics. Thirdly, it is advisable to increase the limit of requirements for writ proceedings: to increase the amount within which a court order can be issued for disputes in the coal industry and to introduce a differentiated approach to limits depending on the type of requirements (environmental, social, contractual). Fourthly, it is necessary to recognize electronic documents as indisputable evidence: to fix the status of electronic data as acceptable and sufficient evidence

in the Civil Procedure Code of the Russian Federation and the Agribusiness Code of the Russian Federation, establish requirements for the format and signature of digital documents and regulate the procedure for their submission to court. Finally, fifthly, it is necessary to organize training and informing of participants: to hold seminars for judges and lawyers on the specifics of the consideration of cases in the coal sector and to publish explanations and reviews of practice on controversial issues. The implementation of these measures will eliminate legal uncertainty, simplify the procedure of compulsory production and increase its accessibility for enterprises and employees of the coal industry.

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