

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI TUSHARBHAI CHAUDHARY): (a) to (d) Yes, Sir. This stretch has been identified by the Inter Ministerial Committee for declaration as new National Highway. Development of new National Highway is a continuous process and taken up from time to time depending upon, *inter-se* priority and availability of funds. It is premature to indicate any cost estimate at this stage.

**Per day penalty to private developers**

1973. SHRI T.M. SELVAGANAPATHI: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that the National Highways Authority of India (NHAI) has decided to pay per day penalty to private developers in build, operate and transfer projects;

(b) if so, the details thereof;

(c) whether it is also a fact that this move will increase the NHAI's accountability in PPP projects; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI TUSHARBHAI CHAUDHARY): (a) and (b) NHAI follows norms as envisaged in Model Concession Agreement of Government. There is a provision under Art-5 of MCA (clause 4.2) on the concession agreement for per day penalty to be paid to the concessionaire if the authority fails to fulfill its obligation within the specified period. The authority shall pay to the Concessionaire Damages in an amount calculated at the rate of 0.1% (zero point one per cent) of the Performance Security for each day's delay until the fulfilment of such Conditions Precedent, subject to a maximum of 20% (twenty percent) of the Performance Security.

(c) and (d) NHAI is accountable to fulfill certain Conditions Precedent which are pre-requisite to A- declaration of Appointed Date. Condition Precedent are procured by way of, ensuring the Right of Way at the project site in accordance with the provisions of concession agreement, approval of the Railway authorities in the form of a general arrangement drawing (GAD) that would enable the concessionaire to construct road overbridges/underbridges at level crossings on the Project Highway in accordance with the specifications and standards and subject to the terms and

conditions specified in such approval and all applicable permits and mandatory clearances relating to environmental protection, conservation of the forest and wildlife at the project site.

#### **Toll policy on highways**

†1974. SHRI KAPTAN SINGH SOLANKI: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) whether it is a fact that huge inequalities and discrepancies have been found in the toll policy for collection of toll on the highways of the country;
- (b) if so, the total number of such highways in the country where incidents of non-payment of toll and protests have come to the notice; and
- (c) the measures being contemplated by Government to deal with this situation and to improve the toll policy?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI TUSHARBHAI CHAUDHARY): (a) No, Sir.

(b) 20 Nos. of incidents of non-payment of toll and protests were reported at various toll plazas.

(c) These are dealt as per the provisions in existing rules.

#### **Poor maintenance of State/National Highways**

†1975. DR. YOGENDRA P. TRIVEDI: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) whether poor maintenance of National/State Highways is the responsible factor for increasing road and highway accidents in which so many people are killed;
- (b) whether it has been found that contractors are not maintaining even toll highways properly;
- (c) whether any action has been taken against such contractors;
- (d) if so, the action taken against them; and
- (e) the details thereof, State-wise?

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†Original notice of the question was received in Hindi.