

Karewa Damodar and Karalpura in District Budgam at an estimated cost of ₹2,34,25,76,762/- under J&K RAIP Act 1968. An amount of Rs1,80,05,95,600/- was deposited with the Deputy Commissioner, Budgam towards 80% compensation by the DEO. The Government of India has not fixed a rate, with farmers in the year 2017-18.

(d) and (e) Does not arise.

Violation of contractual norms for toll collection

725. SHRI SYED NASIR HUSSAIN: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether Government is aware of instances of violation of contractual norms by private highway developers for toll collection;

(b) if so, the details thereof; and

(c) the action taken or proposed to be taken by the Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI MANSUKH MANDAVIYA): (a) to (c) Yes, Sir. There are some instances of violations of contractual norms by private highway developers for toll collection. The details thereof and action taken or proposed to be taken are given in the Statement.

Statement

Details regarding violation of contractual norms by private highway developers and action taken/proposed to be taken in this regard

Sl. No.	State	Name of stretch	Name of Developer	Violation of contractual norms by private highway developers for toll collection	Action taken/Proposed to be taken
1	2	3	4	5	6
1.	Tamil Nadu	Tirupathi-Tiruttani-Chennai section of NH-209 S.V. Puram	Sri Dama Madhukar Reddy (Contract period from 24.10.2018 (08.00 hrs to 24.01.2019 (07.59.59)	The contractor is not remitting the due amount as per time frame prescribed in the agreement	Available cash performance security has been encashed and direction of Hon'ble High Court of Hyderabad directing the agency for depositing the dues before 17.12.2018.
2.	Tamil Nadu	Chennai Bypass Vanagaram	M/s. Eagle Infra India Limited(Contract period from 21.03.2018 (00.00 hrs) to 20.03.2019 (23.59.59 Hrs)	The contractor is not remitting the due amount as per time frame prescribed in the agreement	Recovery will be made from the available cash performance security.

1	2	3	4	5	6
3.	Tamil Nadu	Chennai Bypass Surapattu	M/s. Eagle Infra India Limited (Contract period from 23.11.2017 (00.00 hrs) to 24.11.2018 (23.59.59 Hrs). Further extended upto 24.02.2019		
4.	Tamil Nadu	Six laning of Poonamallee Walajapet section of NH-4	M/s Essel Walajhapet Toll roads Pvt. Ltd.	Non achievement milestone and non maintenance of project highway.	NHAI has terminated the Concession Agreement on 22.07.2016 as per clause 37.1.2
5.	Tamil Nadu	Tambaram Tindivanam section of NH-45 Paranur	M/s MEP IDPL (Contract period from 31.07.2018 (08.00 hrs) to 29.11.2018 (08.00 Hrs)	The contractor is not remitting the due amount as per time frame prescribed in the agreement. Penalty is being imposed as per agreement. Also the due amount including the penalty are being adjusted from cash Performance Security of the Contractor.	
6.	Tamil Nadu	Tambaram - Tindivanam section of NH-45 Km 103.500 (Athur)	M/s MEP IDPL (Contract period from 08.06.2018 (08.00 hrs) to 20.11.2018 (08.00 Hrs)		

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7.	Tamil Nadu	Tambaram Tindivanam section of NH-45Km 103.500 (Athur)	M/s MEP IDPL (Contract period from 26.03.2018 (08.00 hrs) to 22.04.2018 (08.00 Hrs)		
8.	Tamil Nadu	Trichy to Karaikudi of NH 210 Lechchumana patti Km. 19/000	Shri T. Surya Narayana Reddy (Contract period from 30.06.2018 to 29.06.2019)	Non remittance/delay in remittance of user-fee as per the provisions of the contract agreement	Amount will be recovered from the Performance Security.
		Trichy to Karaikudi of NH 210 Lembalakudi Km.57/317	M/s Arunachala Impex Pvt. Ltd. and Shri A.R. Akbar Shareef (Contract period from 24.09.2017 to 23.09.2018, being extended tilt engagement of new Agency)	Non remittance/delay in remittance of user-fee as per the provisions of the contract agreement	Amount will be recovered from the Performance Security.
9.	Tamil Nadu	Palayamkottai to Tuticorin (from Km 166.500 to Km 180.00)	Shri MD. Usman (Contract period from 24.10.2017 to 06.10.2018) Shri K. Ramachandran	Non remittance/delay in remittance of user-fee as per the provisions of the contract agreement	Action has been taken to recover the amount, including encashment of Performance security.

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1	2	3	4	5	6
		Vagaikulam Km 11.785	(Contract period from 06.10.2018 to 06.12.2018)	Non remittance/delay in remittance of user-fee as per the provisions of the contract agreement	Action has been taken to recover the amount, including encashment of Performance security.
10.	Tamil nadu	Trichy to Madurai (Km 0/0 to Km 124/840) Boothakudi Km 21/020 Chittampatti Km 113/630	M/s Eagle Deep Trichy Bypass Tollways India Pvt Ltd (Contract period from 03.06.2013 to 10.12.2018)	Non remittance/delay in remittance of concession fee as per the provisions of the contract agreement	Against ₹98.89 Cr. (excluding interest) due from the OMT Concessionaire, Performance Security Bank Guarantee (including additional BG) is available for ₹65.15 Cr. Concessionaire also submitted claims, which are yet to be finalized. Meanwhile, Concessionaire also invoked arbitration proceedings, which are in progress. Project Highway, including Toll Plazas taken

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					over by NHAI on 10.12.2018.
11.	Tamil Nadu	Madurai-Kanniya kumari (Km 0/000 to Km 234/975) Kappalur Km 18/652 Etturvattam Km 74/930 Salaipudur Km 125/375 Nanguneri Km 185/387	M/s RAIMA Toll Road Pvt. Ltd. (Contract period from 22.09.2013 to 25.08.2016)	Non remittance/delay in remittance of concession fee as per the provisions of the contract agreement	Due to default on the part of the OMT Concessionaire to remit the concession fee as per provisions of Concession Agreement, NHAI has taken over the toll plazas on 25.08.2016 and user-fee collection is being done by NHAI through Fee Collecting Agencies. Claims of both NHAI and Concessionaire are under finalization.
12.	West Bengal	4- laning of Berhampore Farakka Section of NH-34 from Km 191.416 to Km 294.684 in the	Baharampore - Farakka Highways Ltd. / M/s HCC Ltd.	One number complaint received in 2014 on excess fee charging in Shibpur Toll Plaza at Km 206.	After enquiry excess amount along with penalty recovered from Concessionaire by Authority. Concessionaire

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1	2	3	4	5	6
		State of West Bengal under NHDP Phase-III on DBFOT (Toll) basis. [Package No. III/BOT/WB/03]			had refunded an amount of ₹ 619/- (₹ 495/-along with 25% damages) to the Authority as per provision of clause 27.11.3 of Concession Agreement.
13.	Delhi	Six laning of Delhi-Agra section of NH-2	M/s DA Toll Road Pvt. Ltd.	The complaint on overcharging from overloaded vehicles by the concessionaire were received.	NHAI issued directions to Concessionaire to immediately stop the overcharging from overloaded vehicle and adhere to provisions of Concession Agreement and Notifications issued time to time.
14.	Bihar	Six laning of Varanasi-Aurangabad section of NH2 from Km 786.000 to Km	M/s Soma Isolux Varanasi Aurangabad Tollway Pvt. Ltd.	Lane closure under clause 17.7.3 on 21.03.2017 at Sasaram Toll Plaza	Penalty of ₹ 2,96,927.00 has been imposed.

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978.000 in the state
of Uttar Pradesh
and Bihar on Design,
Build, Finance,
Operate and Transfer
Toll basis under
NHDP-V.

15.	Odisha	Nil
16.	Madhya Pradesh	Nil
17.	Kerala	Nil
18.	Rajasthan	Nil
19.	Uttar Pradesh	Nil
20.	Jharkhand	Nil
21.	Telangana	Nil
22.	Andhra Pradesh	Nil
23.	Jammu and Kashmir	Nil

1	2	3	4	5	6
24.	Himachal Pradesh		Nil		
25.	Karnataka		Nil		
26.	Maharashtra		Nil		
27.	North East		Nil		
28.	Gujarat		Nil		
29.	Punjab		Nil		
30.	Haryana		Nil		
31.	Chhattisgarh		Nil		

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