

GOVERNMENT OF INDIA
MINISTRY OF PORTS, SHIPPING AND WATERWAYS

RAJYA SABHA
UNSTARRED QUESTION NO.2226
ANSWERED ON 08.08.2023

MODEL CONCESSION AGREEMENT FOR PORTS

2226.DR. L. HANUMANTHAI AH:

Will the Minister of PORTS, SHIPPING AND WATERWAYS be pleased to state:

- (a) whether Government is aware that the port Model Concession Agreement does not include a mechanism for grievance resolution;
- (b) if so, the details thereof;
- (c) the details of the number of disputes that have been litigated in the last three years;
- (d) whether Government has accessed the increased cost of the projects owing to lengthy litigation durations; and
- (e) if so, the steps Government has taken to address the lengthy litigation process?

ANSWER

MINISTER OF PORTS, SHIPPING AND WATERWAYS
(SHRI SARBANANDA SONOWAL)

- (a)& (b) To prevent litigation, article 19 of the Model Concession Agreement applicable to PPP Projects, effective from 18th November, 2021 contains the mechanism for grievance/dispute resolution.
- (c) The details of the number of disputes that have been litigated in the last three years is given below:

Sl. No.	Port Authority	Number of disputes that have been litigated in the last three years
1	Jawaharlal Nehru Port Authority	1
2	V.O. Chidambaranar Port Authority	1

- (d) No such case has come to the notice where project cost has escalated due to lengthy litigation durations.
- (e) In case of court cases the finality of the outcome depends on judicial process which is beyond control of the Ministry.
