

**GOVERNMENT OF INDIA  
URBAN DEVELOPMENT  
LOK SABHA**

STARRED QUESTION NO:49

ANSWERED ON:07.08.2013

. OPERATION OF AIRPORT METRO

Dhotre Shri Sanjay Shamrao;Mahtab Shri Bhartruhari

**Will the Minister of URBAN DEVELOPMENT be pleased to state:**

(a) whether the Delhi Metro Rail Corporation (DMRC) has taken over the operation of Airport Metro Express from the Reliance Infrastructure Limited (RIL) and if so, the details thereof and the reasons therefor;

(b) whether the RIL has invoked the termination clause and claimed termination payment as the DMRC had failed to cure the substantial defects in the civil structure designed and built by the DMRC within the period prescribed under the Concession Agreement;

(c) if so, the details thereof along with the reaction of the Government thereto;

(d) whether the Government has conducted any inquiry in this regard; and

(e) if so, the details thereof and if not, the reasons therefor along with the other corrective steps taken by the Government in this regard?

**Answer**

THE MINISTER OF URBAN DEVELOPMENT (SHRI KAMAL NATH)

(a) to (e): A statement is laid on the Table of the Sabha.

STATEMENT

STATEMENT REFERRED TO IN REPLY TO THE LOK SABHA STARRED QUESTION NO. 49 FOR 07.08.2013 REGARDING OPERATION OF AIRPORT METRO.

(a): Yes, Madam. Delhi Metro Rail Corporation Ltd. (DMRC) has taken over the operation of Airport Metro Express Line from the close of business operating hours of 30th June 2013. M/s Delhi Airport Metro Express Private Limited (DAMEPL), the Special Purpose Vehicle (SPV) formed by Reliance Infra Limited and CAF JV, informed DMRC on 27th June 2013 that they will not be responsible for the Project after the close of business operating hours of June 30, 2013 and asked DMRC to take over the Project and the Assets. Therefore, in the larger public interest, DMRC decided to take over the operations of the Airport Express Line from the close of business operating hours of 30th June, 2013.

(b) & (c): Yes Madam. Reliance Infra Limited has invoked the Termination clause and claimed Termination payments from DMRC. DMRC, in response to the notice issued by DAMEPL dated 9th July 2012, informed DAMEPL on 5th October 2012 that the defects identified by DAMEPL have been cured and it is not correct to say that DMRC failed to cure the substantial defects in the civil structure within the prescribed period under the Concession Agreement. DMRC also informed DAMEPL that the notice of default was against the provisions of Concession Agreement. However, DAMEPL decided to terminate the Concession Agreement on 8th October 2012. DMRC has also invoked the Arbitration mechanism available within the Concession Agreement to resolve the disputes between the parties and the arbitrator has been appointed by both parties for the same. In the meantime, DAMEPL, however, continued with operation of the line till 30.06.2013.

(d): Yes, Madam.

(e): The Enquiry Committee consisting of the Additional Secretary & Chief Vigilance Officer (CVO), Ministry of Urban Development (MoUD) and the then Additional Member (Works), Railway Board conducted an enquiry into the incident to fix the responsibility for the defects in construction. The Enquiry Committee found deficiencies / failures on part of various agencies viz. the Concessionaire (M/s DAMEPL), the construction contractor (M/s IJM-IJMI JV), Airport Line Consultants (PCI – PBI – JARTS – TONICHI – RITES), the Detailed Design Consultants (M/s Systra) and DMRC.

The report of the Enquiry Committee was referred to Central Vigilance Commission (CVC), and as per the CVC's advice, the report has been forwarded to DMRC for examination by the Board of DMRC and for taking action against various officials of DMRC, Consultants and Contractors as per finding of the report. DMRC has also been directed to examine system improvements to avoid recurrence of such failure in the future.