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INFORM: Infrastructure Projects & Finance

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We bring you the latest updates on the dynamic intersection of infrastructure projects with banking and finance. Join us to navigate the evolving landscape of infrastructure curated to empower you with strategic intelligence.

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2. Mandatory Tender Conditions Cannot Be Relaxed After Bid Submission: Punjab and Haryana High Court
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>>> CASE LAWS



NHAI Cannot Arbitrarily Terminate EPC Contract Despite Arbitration Clause: Allahabad High Court

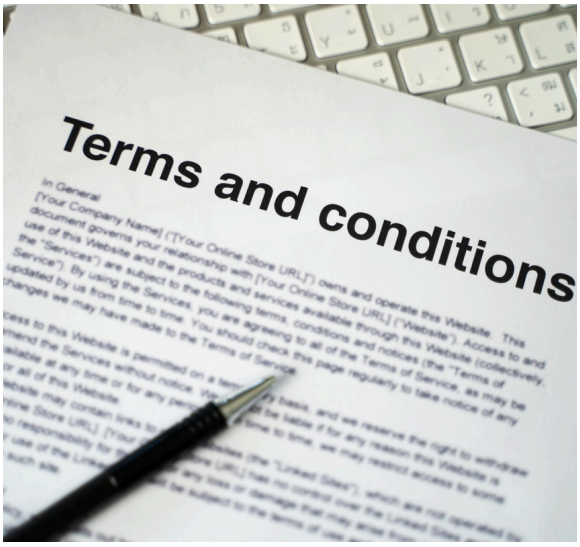
The Allahabad High Court, in Tata Projects Limited v. Union of India & Ors. (Writ-C No. 4559 of 2025), decided on July 8, 2026, held that the existence of an arbitration clause does not preclude the exercise of writ jurisdiction where a State authority acts arbitrarily in terminating a public contract.

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Mandatory Tender Conditions Cannot Be Relaxed After Bid Submission: Punjab and Haryana High Court

The Punjab and Haryana High Court, in Kannect Engineers Pvt. Ltd. v. Punjab State Power Corporation Ltd. & Ors. (CWP No. 8897 of 2026), decided on July 7, 2026, held that a procuring authority cannot permit a successful bidder to furnish essential technical documents after the last date for submission of bids where the tender...

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IBC Liquidation Sale Certificates Not Liable to Stamp Duty Unless Used Otherwise: Bombay High Court

The Hon'ble Bombay High Court, in Rajaram Food Products India Ltd. v. Joint District Registrar (Class-I) & Collector of Stamps, Nashik & Ors. (Writ Petition No. 3018 of 2026), decided on July 14, 2026, held that a sale certificate issued by a liquidator pursuant to a public auction conducted under the Insolvency and Bankruptcy Code, 2016 ("IBC") is not compulsorily registrable and does not attract stamp duty when it is...

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Debarment Not Amenable to Interim Relief Under Section 9 of the Arbitration Act: Delhi High Court

The Hon'ble Delhi High Court, in NCC Limited v. Airports Authority of India (O.M.P. (I) (COMM.) 140 of 2026), decided on July 1, 2026, held that an order debarring a contractor from participating in future tenders is not a dispute arising out of contractual rights and obligations and, therefore, cannot ordinarily be challenged by way of an application under Section 9 of the Arbitration and Conciliation Act, 1996 ("Arbitration Act").

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Debarment for Tender Fraud Does Not Violate Natural Justice Where Hearing Is Granted: Karnataka High Court

The Hon'ble Karnataka High Court, in M/s MP24 Construction Company v. State of Karnataka & Ors. (W.A. No. 2026 of 2025 c/w W.A. No. 2028 of 2025), decided on July 8, 2026, upheld the debarment of a contractor under the Karnataka Transparency in Public Procurements Act, 1999 ("KTPP Act"), holding that the principles of natural justice stand satisfied where the contractor has adequate notice of the...

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Tendering Authority Best Placed to Prescribe Technical Eligibility Criteria: Delhi High Court

The Hon'ble Delhi High Court, in Skylark Infra Engineering Pvt. Ltd. v. Municipal Corporation of Delhi (W.P.(C). 8368 of 2026), decided on July 20, 2026, held that courts will not interfere with technical eligibility criteria prescribed in public tenders unless they are shown to be arbitrary, mala fide, irrational or contrary to public interest.

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NOTIFICATIONS/CIRCULARS



NHAI Prescribes Phased Release Mechanism for Additional Performance Security

The National Highways Authority of India (NHAI), vide Policy Circular bearing reference no. 11.96/2026 dated July 10, 2026 (the "Circular"), has introduced a structured framework governing the release of Additional Performance Security (APS) furnished by contractors.

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MoRTH Directs Descoping of Bridge Health Monitoring System Works from Existing Contracts

The Ministry of Road Transport and Highways (MoRTH), vide Circular bearing reference no. RW/NH-33044/13/2023-S&R(P&B) (Comp No. 232086) dated July 6, 2026 (the "Circular"), has directed the descoping of Bridge Health Monitoring System (BHMS) works from existing Contract Agreements/Concession Agreements where physical execution has not commenced.

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NHAI Notifies Applicable Interest Rate (Jul-Sep 2026) for HAM Projects

The National Highways Authority of India (NHAI), vide Policy Circular No. 8.4.55/2026 dated July 11, 2026 (the "Circular"), has notified the applicable rate of interest for Hybrid Annuity Model (HAM) projects for the quarter commencing July 1, 2026. The Circular has been issued pursuant to Article 23.6.4 of the amended Model Concession Agreement (MCA) for HAM...

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NHLML Entrusts O&M of Port Road SPVs to NHAI on Deposit Work Basis

The National Highways Authority of India (NHAI), vide Policy Circular bearing reference no. 18.130/2026 dated July 20, 2026 (the “Circular”), has issued directions for execution of Operation and Maintenance (O&M) works relating to specified Port Road Special Purpose Vehicles (SPVs) through NHAI on a deposit works basis.

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Comments Sought on Proposed External Safety Audit Framework for BESS Plants

The Central Electricity Authority (CEA), Ministry of Power, vide its notification dated July 7, 2026 (the "Notification"), has invited comments from stakeholders on the proposed framework governing external safety audits of Battery Energy Storage System (BESS) plants. Comments have been invited until July 28, 2026.

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NHAI Professionalises InvIT-led Operations and Maintenance of National Highway Assets

The National Highways Authority of India (NHAI), vide its Press Release dated July 16, 2026 (the "Press Release"), has announced that the National Highways Infra Trust (NHIT), an Infrastructure Investment Trust (InvIT) sponsored by NHAI, has engaged General Management Consultants (GMCs) to institutionalise professional and technology-driven Operations and Maintenance (O&M) practices across National Highway assets under its portfolio.

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MNRE Issues MSA for Electrolyser-as-a-Service to Accelerate Green Hydrogen Adoption

The Ministry of New and Renewable Energy (MNRE), vide Office Memorandum No. 353/43/2026-NT dated July 23, 2026 (the "Office Memorandum"), has issued a Model Service Agreement (MSA) for procurement of Green Hydrogen under the Electrolyser-as-a-Service (EaaS) model.

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>>> QUICK READS



Indian Shipyards Seek Balanced Risk Allocation in Government Shipbuilding Tenders

Recognising the long execution period and capital-intensive nature of shipbuilding projects, the Shipyards Association of India (SAI) has recommended a series of contractual and commercial modifications to the Government's commercial shipbuilding tender framework, particularly in relation to the ongoing tenders...

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MoRTH Proposes Mandatory Cybersecurity Framework for Connected and Autonomous Vehicles

The Ministry of Road Transport and Highways (MoRTH) has proposed amendments to the Central Motor Vehicles Rules, 1989, to introduce mandatory cybersecurity and software update management requirements for connected and technologically advanced vehicles.

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Government Strengthens Regulatory Framework to Position India as a Global Aircraft MRO Hub

The Government has announced a series of policy, regulatory and fiscal measures to strengthen India's Maintenance, Repair and Overhaul (MRO) sector, with the objective of creating a globally competitive domestic MRO ecosystem, attracting private investment and reducing foreign exchange outflow arising from overseas aircraft maintenance.

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Gujarat Highlights Policy Framework to Drive Green Hydrogen Investments

Gujarat has reaffirmed its commitment to developing a robust green hydrogen ecosystem by highlighting its integrated policy framework and favourable investment environment for the sector. At the 2nd Bharat Green Hydrogen Summit 2026, the State outlined the measures undertaken to facilitate investments in green hydrogen manufacturing, processing and allied infrastructure through...

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DoT Introduces Data Localisation and Compliance Framework

The Department of Telecommunications (DoT) has notified the Telecommunications (Authorisation for Telecommunication Network) Rules, 2026 under the Telecommunications Act, 2023, introducing a new authorisation framework for telecommunication infrastructure providers to strengthen regulatory oversight, enhance data...

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Government Approves Rs.28,840 Crore Outlay for the Next Phase of the UDAN Scheme

The Union Cabinet, on 25 March 2026, approved a budgetary allocation of Rs.28,840 crore over ten years (FY 2026-27 to FY 2035-36) for the next phase of the Ude Desh ka Aam Nagrik (UDAN) Scheme, reaffirming the Government's commitment to strengthening regional air connectivity and expanding aviation infrastructure across the country.

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Public InvITs Gain Momentum as a Preferred Funding Mechanism for Road Infrastructure

Public Infrastructure Investment Trusts (InvITs) are increasingly emerging as a preferred financing mechanism for India's road infrastructure sector, reflecting the growing maturity of operational highway assets and the evolution of the country's infrastructure financing framework.

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