

Bill No. VI of 2026

THE CRITICAL INFRASTRUCTURE (RESILIENCE,
PROTECTION AND ACCOUNTABILITY)
BILL, 2026

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BILL

to provide for the identification, designation, and protection of critical infrastructure of strategic importance; to establish a framework for its resilience through technological integration; to impose strict liability and accountability on parties responsible for failure of, or loss of lives due to defects in the critical infrastructure; and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-seventh Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

- 5 **1.** (1) This Act may be called the Critical Infrastructure (Resilience, Protection and Accountability) Act, 2026.
- (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

2. In this Act, unless the context otherwise requires,—

(a) "Committee" means the Critical Infrastructure Oversight Committee constituted under section 6;

(b) "critical infrastructure" means an asset, project, facility, system, or part thereof, whether physical or virtual, as may be specified under section 3; 5

(c) "Dashboard" means National Real-Time Critical Infrastructure Monitoring Dashboard as established under section 9;

(d) "defect liability period" means the period specified in the contract, concession agreement, or other binding arrangement, commencing from the date of completion, commissioning, or handover of a critical infrastructure, during which the contractor, sub-contractor, concessionaire, vendor, technology provider, or any other party responsible for the works, goods, or services, shall remain liable to remedy, repair, replace, or rectify any defect, deficiency, or failure arising from design, workmanship, materials, or performance, at no additional cost to the Nodal Ministry of the critical infrastructure; 10 15

(e) "Digital Twin" means a dynamic, virtual representation of a physical critical infrastructure that uses real-time data to enable understanding, learning, and reasoning regarding the performance and lifecycle of the critical infrastructure; 20

(f) "Nodal Ministry" means the Ministry or Department of the Central Government having administrative and financial control over the specific critical infrastructure;

(g) "party" means any individual or entity engaged in the lifecycle of the critical infrastructure, and shall include following: 25

(i) the contractor, the primary individual or entity executing the works;

(ii) the sub-contractor, any individual or entity to whom part of the work is delegated; 30

(iii) concessionaire, the holder of a concession for public-private partnership projects;

(iv) Special Purpose Vehicle, a subsidiary created for the specific project;

(v) Joint Venture, a commercial enterprise undertaken jointly by two or more parties; 35

(vi) vendor, the supplier of materials or components;

(vii) the technology provider, any individual or entity providing software, hardware, or integration services; and

(viii) the consultant, any individual or entity providing architectural, structural, or management advice. 40

(h) "prescribed" means prescribed by rules made under this Act;

(i) "Protocol" means Critical Infrastructure Safety Protocol as provided under section 5; and

(j) "Registry" means National Critical Infrastructure Registry as provided under section 4. 45

CHAPTER II
DESIGNATION AND REGISTRY

3. The Central Government. may by notification in the Official Gazette specify critical infrastructure, satisfying one or more of the following criteria:
- 5 (i) financial threshold: the total commissioning cost or replacement value exceeds rupees one thousand crore; or
- (ii) beneficiary threshold: serves a daily user base or beneficiary population exceeding one million individuals; or
- 10 (iii) strategic importance: the compromise, loss, or failure would result in debilitating impact on national security, defence capabilities, or national sovereignty.
- Provided that such notification shall be issued after consultation with the State Government or local authority, where such Government or authority is a partner in the development, operation, or maintenance of the critical infrastructure.
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4. (1) The Central Government shall, by notification in the Official Gazette, establish, maintain and operate a Registry to be known as the National Critical Infrastructure Registry.
- 20 (2) The Central Government shall classify the critical infrastructure in the Registry into the following categories:
- (a) Tier 1, strategic and life-critical, the failure of which would pose an immediate threat to human life, public safety or national sovereignty, including but not limited to dams, nuclear installations and defence corridors;
- 25 (b) Tier 2, economic and urban, the failure of which would cause massive disruption of economic activity or essential urban services, including but not limited to major expressways, ports, and power grids; and
- (c) any other category, as may be classified by the Central Government.
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5. (1) Every critical infrastructure shall be subject to, and governed by the Critical Infrastructure Safety Protocol, as may be prescribed by the Central Government.
- 35 (2) The Central Government may, for the purposes of enforcement of the Protocol, make rules and lay down procedures, specifically to provide for:
- (a) the manner of conducting inquiries into complaints relating to safety violations or non-compliance;
- (b) the procedure for investigation of incidents, structural failures, or service disruptions involving critical infrastructure; and
- 40 (c) the authorization of officers to institute suits, prosecutions, or other legal proceedings in competent courts on behalf of the Central Government.

Central Government to notify critical infrastructure.

National Critical Infrastructure Registry.

Critical Infrastructure Safety Protocol.

CHAPTER III
GOVERNANCE AND OVERSIGHT

- 45 6. (1) The Central Government shall, by notification in the Official Gazette, constitute in every Nodal Ministry a Committee, to be known as the Critical Infrastructure Oversight Committee, to exercise the powers conferred upon, and to perform the functions assigned to it, under this Act.

Constitution of Critical Infrastructure Oversight Committee.

- (2) The Committee shall consist of:
- (a) the Union Minister in charge of the Nodal Ministry, who shall be the *ex-officio* Chairperson; and
 - (b) the Secretary of the Nodal Ministry, who shall be the *ex-officio* Member-Secretary. 5
- (3) The Central Government may depute such number of officers and staff to the Committee, as may be required for its efficient functioning.

Functions and powers of the Committee.

7. The Committee shall exercise and perform the following functions:
- (a) monitor the security and resilience of the critical infrastructure; 10
 - (b) review the compliance and performance of parties with respect to the Protocol;
 - (c) initiate penal proceedings in the event of failure or non-compliance, as specified in section 10 of this Act; and
 - (d) any other functions as assigned to it by the Central Government from time to time. 15

CHAPTER IV

TECHNOLOGICAL INTEGRATION

Mandatory Digital Twin.

8. (1) Every party responsible for the design, construction, operation or maintenance of any physical critical infrastructure shall possess a functioning Digital Twin. 20
- (2) The Digital Twin shall conform to such technical standards and specifications, as may be prescribed by the Committee, with the approval of the Central Government.
- (3) The Digital Twin shall be utilized for: 25
- (a) real-time monitoring of the structural health of the critical infrastructure;
 - (b) stress testing of the critical infrastructure against simulated natural and man-made disasters;
 - (c) predictive scheduling of maintenance of the critical infrastructure; and 30
 - (d) any other purpose, as may be prescribed.

National Real-Time Critical Infrastructure Monitoring Dashboard.

9. (1) The Central Government shall establish a centralized and electronic National Real-Time Critical Infrastructure Monitoring Dashboard, in such manner as may be prescribed. 35
- (2) Every virtual critical infrastructure and Digital Twin shall act as a node, transmitting such data to the Dashboard, as may be prescribed.
- (3) The Dashboard shall be accessible to the Committee of the respective Nodal Ministry for the purpose of:
- (a) surveillance of health of the critical infrastructure; 40
 - (b) facilitating data sharing between different Nodal Ministries to ensure systemic resilience and interoperability; and
 - (c) supply data driver insights to the Central Government for future infrastructure planning.

Defect Liability Period.	<p>13. (1) Notwithstanding anything contained in the Indian Contract Act, 1872, the Defect Liability Period in respect of the critical infrastructure shall be twenty-five years from the date of commissioning.</p> <p>(2) The party shall be liable to repair or rebuild any defects arising in the critical infrastructure at their own cost during the Defect Liability Period. 5</p> <p>(3) Notwithstanding anything in any other law for the time being in force, the liability under this section of the transferor party prior to its merger, amalgamation or acquisition shall continue after such merger, amalgamation or acquisition.</p>	9 of 1872
Provisional attachment of assets.	<p>14. (1) In the event of a catastrophic failure of a Tier 1 critical infrastructure, the Central Government may, by order, direct the immediate freezing of the personal assets of the responsible Party or if the Party is a company, then of the members of its Board of Directors. 10</p> <p>(2) The attachment under sub-section (1) shall be effective prior to the commencement of any trial, inquiry or arbitration. 15</p>	
Criminal Liability for Service Disruption and Negligence.	<p>15. (1) Whoever, being a public servant employed in a Nodal Ministry, by act of negligence, inefficiency, or willful delay causes disruption in the service of any critical infrastructure, shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both. 20</p> <p>(2) Notwithstanding anything contained in section 218 of Bharatiya Nagarik Suraksha Sanhita, 2023, no prior sanction shall be required for prosecution under this section in respect of offences relating to critical infrastructure. 20</p>	46 of 2023

CHAPTER VI

PUBLIC ACCOUNTABILITY

Whistleblower protection.	<p>16. (1) Any person who makes a disclosure of information relating to safety violations or corruption in the critical infrastructure, shall be entitled to protection under the provisions of the Whistle Blowers Protection Act, 2014. 25</p> <p>(2) The identity of such whistleblowers shall be secured through encryption within the Dashboard. 30</p>	17 of 2014
Internal Ombudsman.	<p>17. (1) The Nodal Ministry shall designate an officer of the rank of Joint Secretary to the Government of India as the internal Ombudsman.</p> <p>(2) The Ombudsman shall receive, inquire into, and redress public grievances relating to the safety and performance of the critical infrastructure. 35</p>	

CHAPTER VII

MISCELLANEOUS

Annual Report.	<p>18. The Committee shall prepare an annual report on the state of the critical infrastructure in the country and submit it to the Central Government which shall cause the same to be laid before both Houses of Parliament, within three months after the end of each financial year. 40</p>	
Power to make rules.	<p>19. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.</p> <p>(2) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one 45</p>	

5 session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both the Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

10 **20.** The provisions of this Act shall have effect, notwithstanding anything therewith inconsistent contained in any other law for the time being in force or any instrument having effect by virtue of any such law.

Act to have overriding effect.

15 **21.** If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the difficulty.

Removal of difficulties.

STATEMENT OF OBJECTS AND REASONS

The rapid urbanization and strategic development of India necessitates an infrastructure framework that is not only robust but resilient. In recent times, instances of infrastructure failure have highlighted casual attitude towards safety standards and asset longevity. Such negligence, when applied to critical infrastructure of strategic importance, amounts to a betrayal of public trust and national security.

Existing legal frameworks treat infrastructure failure largely as a contractual dispute or a tort of negligence. This Bill seeks to shift the paradigm from "civil negligence" to "criminal accountability." It recognizes that the sabotage of critical infrastructure, whether through malice or gross incompetence, is an offense against the State.

The Bill introduces a "Zero Cost" oversight mechanism by empowering existing Ministry officials rather than creating regulatory bodies. It mandates "Skin in the Game" for private contractors and public officials alike, ensuring that those who build and monitor our critical infrastructure are personally liable for their integrity.

The Bill seeks to achieve the above objectives.

KARTIKEYA SHARMA.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 19 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. Clause 21 provides that the Central Government may make such provisions, by order, as may be necessary for removing any difficulty in giving effect to the provisions of this Bill.

As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

RAJYA SABHA

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(Shri Kartikeya Sharma, M.P.)