

The background of the entire page is a close-up photograph of tightly coiled copper pipes. The lighting creates a warm, golden-brown glow with highlights and shadows that emphasize the metallic texture and the repetitive spiral pattern of the coils.

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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»» CASE LAWS



Blacklisting Unsustainable on Mere Disputes on Interpretation of Tender Conditions: Madras HC

The Hon'ble Madras High Court, in *Eco Protection Engineers Pvt. Ltd. v. The State of Tamil Nadu & Ors.* (W.P. No. 16595 of 2026), decided on August 5, 2026, held that blacklisting or debarment cannot be imposed merely on account of a dispute regarding the interpretation or compliance of tender conditions, in the absence of material establishing a fraudulent practice under the tender document.

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Cancellation of Tender for Inadvertently Low ePBG Held Arbitrary: Allahabad High Court

The Allahabad High Court, in *M/s Yuvaan Infotech through Partner Ritvik Pandey v. State of U.P. through Additional Chief Secretary, Medical and Health, Lucknow & Ors.* (Writ-C No. 9641 of 2026), held that cancellation of an advanced tender process on account of an inadvertent error in prescribing the Performance Bank Guarantee ("ePBG") was disproportionate and arbitrary.

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Tendering Authority Best Judge of Eligibility Conditions: Patna High Court

The Hon'ble Patna High Court, in *Adyaraj Developers Private Limited v. State of Bihar & Ors.* (CWJC No. 7993 of 2025), decided on August 5, 2026, held that a bidder who knowingly participates in a tender process cannot subsequently challenge the eligibility conditions merely because its bid was rejected.

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Eligibility Conditions in Tender Must Be Strictly Applied: Supreme Court

The Hon'ble Supreme Court, in *Micky Traders v. L.R.Y. Labour Contractor & Ors.* (Civil Appeal Nos. arising out of SLP (C) Nos. 22161 and 23127 of 2026; 2026 INSC 1025), decided on September 21, 2026, upheld the decision of the Hon'ble High Court of Punjab and Haryana holding that the appellant did not satisfy the prescribed experience requirement for a tender for collection of user charges.

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Discrepancy in Signatures Justifies Technical Disqualification: Patna High Court

The Hon'ble High Court of Patna, in *M/s Shubhraj Construction v. The State of Bihar & Ors.* (CWJC No. 12120 of 2026), decided on August 25, 2026, held that a material discrepancy between the signatures on an affidavit uploaded on the e-procurement portal and the original affidavit could justify technical disqualification under the tender conditions.

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»» NOTIFICATIONS/CIRCULARS



GST on Royalty: NHAI Prescribes Interim Mechanism Pending SC Adjudication

The National Highways Authority of India (NHAI), vide Policy Circular No. 2.5.18/2026 dated September 5, 2026 (the "Circular"), has prescribed an interim procedure for processing claims relating to reimbursement/release of Goods and Services Tax (GST) on royalty paid in respect of minor minerals used for highway projects, pending final adjudication by the Hon'ble Supreme Court on the applicability of GST/Service Tax on royalty.

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SOP Prescribed for Issuance of Experience Certificates to Contractors in HAM Projects

The National Highways Authority of India (NHAI), vide Policy Circular bearing reference no. 11.110/2026 dated September 15, 2026 ("Circular"), has prescribed a Standard Operating Procedure (SOP) for issuance of experience certificates to contractors or Engineering...

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MoRTH Clarifies Basis for Calculation of APS for Abnormally Low Bids

The Ministry of Road Transport and Highways (MoRTH), vide its circular bearing reference no. RW/NH-33044/34/2024-S&R (P&B), dated September 22, 2026, ("Circular") issued in continuation of its earlier circulars dated April 30, 2025, and June 30, 2026, has clarified the basis for determination of Additional Performance Security (APS) for bidders quoting abnormally low bid prices in Engineering Procurement and Construction (EPC), Hybrid Annuity Model (HAM), PBMC and STMC contracts.

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NHAI Tightens Plantation Compliance Requirements for Highway Projects

The National Highways Authority of India (NHAI), vide its Press Release dated September 9, 2026, has issued revised guidelines to strengthen compliance with contractual obligations relating to median and avenue plantation on National Highway projects.

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NHAI Strengthens Monitoring and Penalty Framework for ATMS Works

The National Highways Authority of India (NHAI), vide Policy Circular bearing reference no. 11.111/2026 dated September 17, 2026 (the "Circular"), has prescribed a framework for monitoring Service Level Requirements (SLR)/Service Level Agreements (SLA), payment deductions and penalties for Advanced Traffic Management System (ATMS) works across Engineering Procurement Construction (EPC), Hybrid Annuity Model (HAM) and Build-Operate-Transfer (BOT) projects.

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NHAI Eases Equipment Mobilisation Requirements under PBMC RFPs

The National Highways Authority of India (NHAI), vide Policy Circular bearing reference no. 9.4.36/2026 dated September 18, 2026 (the "Circular"), has modified the equipment mobilisation requirements under the Standard RFP for Performance Based Maintenance Contracts (PBMC) for O&M works.

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NHAI Modifies Technical Eligibility Criteria for EPC Projects of Utmost Priority

The National Highways Authority of India (NHAI), vide Policy Circular bearing reference no. 11.113/2026 dated September 26, 2026 (the "Circular"), has introduced modified technical eligibility criteria under Clause 2.2.2.2(ii) of the RFP for Engineering Procurement Construction (EPC) projects identified as being of utmost priority.

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CERC Proposes Second Amendment to Indian Electricity Grid Code Regulations

The Central Electricity Regulatory Commission ("CERC"), vide Draft Central Electricity Regulatory Commission (Indian Electricity Grid Code) (Second Amendment) Regulations, 2026 dated September 21, 2026, has proposed amendments to the CERC (Indian Electricity Grid Code) Regulations, 2023.

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»» QUICK READS



New Guidelines for High-Speed Access-Controlled National Highways

The National Highways Authority of India (NHAI) has issued comprehensive guidelines for the planning and design of High-Speed Access-Controlled National Highways, other than Expressways.

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Government Eases Exit Framework for Hybrid Annuity Highway Projects

The Ministry of Road Transport and Highways (MoRTH) has revised the Model Concession Agreement (MCA) for Hybrid Annuity Model (HAM) highway projects, introducing a “harmonious substitution” mechanism that enables a concessionaire to replace itself or its equity partners in stalled projects before formal termination for default.

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Strict Action Against Concessionaire Following Defects in Kanpur–Lucknow Expressway

The National Highways Authority of India (NHAI) has taken stringent action against PNC Infratech Ltd., the concessionaire of the 63-km Kanpur–Lucknow Expressway, following the emergence of premature failures and slippages on the expressway shortly after its inauguration.

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Special Quality Inspections Initiated for 17 Highway Projects with Low Bids

The National Highways Authority of India (NHAI) has initiated special quality inspections of 17 under-construction National Highway projects where the accepted bid value was more than 15% below the estimated project cost. The inspections are being undertaken in addition to NHAI's regular quality checks and are intended to identify deficiencies at an early stage and facilitate timely corrective action.

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Karnataka Shifts Focus Towards Integrated Maritime Development

The Karnataka Maritime Board (KMB), as outlined by its CEO at the second edition of the CII Karnataka Port and Logistics Conference in Mangaluru, is moving towards an integrated maritime development model that extends beyond conventional port capacity expansion to encompass logistics infrastructure, shipbuilding, coastal shipping, inland waterways and digital systems.

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Madras HC Seeks Report on Road Quality Control and Accountability Mechanism

The Madurai Bench of the Hon'ble Madras High Court has directed the Tamil Nadu Highways and Minor Ports Department to submit a detailed report explaining the mechanism adopted to ensure the quality of road works and the action taken against officials responsible for substandard construction.

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DPIIT and ADB Develop Grading Framework for Warehouses and Cold Chains

The Department for Promotion of Industry and Internal Trade (DPIIT), in collaboration with the Asian Development Bank (ADB), is developing a grading and rating standards benchmark for warehouses and cold-chain facilities in India, according to DPIIT Joint Secretary Pankaj Kumar, speaking at the third FICCI Logistics, Warehousing and Cold Chain Summit.

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