

NH-24028/14/2014-H (Vol II) (E-134863)  
Government of India  
Ministry of Road Transport & Highways  
(Highways Section)

Transport Bhawan, 1, Parliament Street, New Delhi-110001.

Dated 21<sup>st</sup> March 2023

**CIRCULAR**

**Subject: Changes in Model Concession Agreement of BOT (Toll) project permitting the change of ownership from 2 years to 1 year after Commercial Operation Date (COD)**

This Ministry vide Office Memorandum of even number dated 23.05.2022 amended the relevant clauses of Model Concession Agreement of BOT (Toll) projects to allow the change of ownership from 2 years to 1 year of Commercial Operation Date (COD) with certain conditions. However, few representations were received in the Ministry requesting that given the financial downturn, this provision of change of ownership to 1 year may be allowed for subsisting BOT (Toll) Projects as well. Earlier, Ministry had allowed a similar provision for subsisting HAM projects when the change in ownership was allowed after six months in the case of HAM projects.

2. In view of the above and to alleviate the situation of financial distress caused to the developers in the road sector in recent times, it has been decided that bidders/consortium members of subsisting BOT (Toll) contracts may also be allowed for the change of ownership after a period of 1 year and the relevant clause of the amended MCA as applicable presently will be applicable for those projects as well.

3. This issues with the approval of the Hon'ble Minister (RT&H).



(Sangita Toppo)

Under Secretary to the Government of India  
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To

1. Director General (Roads) & Special Secretary, MoRTH
2. The Chairman, National Highways Authority of India, G-5 & 6, Sector - 10, Dwarka, New Delhi - 110075.
3. Managing Director, National Highways & Infrastructure Development Corporation Limited

Copy to:

1. PS to Hon'ble Minister (RT&H)/ PS to Hon'ble Minister of States (RT&H)
2. Sr. PPS to Secretary (RT&H)
3. Sr. PPS to Additional Secretary (Highways & LA)/ PPS to DS (H)