

**THE PREPARATORY SURVEY FOR DEDICATED
FREIGHT CORRIDOR (PHASE 2) (II)
ATTACHMENTS**

PART I

Attachment I.1.1 The Minutes of Meeting on the Survey

THE MINUTES OF MEETINGS

ON

THE MISSION FOR THE PREPARATORY SURVEY

ON

Dedicated Freight Corridor Project (Phase 2) (I)

IN

India

AGREED UPON BETWEEN

Ministry of Railways and Dedicated Freight Corridor Corporation of India Limited


AND

THE JAPAN INTERNATIONAL COOPERATION AGENCY

Date: April 26, 2011
Place: New Delhi


Navon Kumar Shukla
Executive Director
Perspective Planning
Ministry of Railways


Yuko UGASAWARA
Assistant Director
South Asia Section 1
South Asia Department


Surinder Khatwal, IROCC
Chief General Manager (I-WW)
Dedicated Freight Corridor Corporation of India
Limited

The Ministry of Railways (hereinafter referred to as "MOR"), Dedicated Freight Corridor Corporation of India Limited (hereinafter referred to as "DFCCIL") and the Japan International Cooperation Agency (hereinafter referred to as "JICA"), have agreed to make preparation for

Dedicated Freight Corridor Project (Phase 2) (I) (hereinafter referred to as "the Project"). Accordingly, JICA dispatched a mission on the Project (hereinafter referred to as "the JICA Mission") to India from April 19 to April 28, 2010 in order to develop scope and implementing arrangements of a further survey which will study environmental and social considerations of the Project (hereinafter referred to as "the Preparatory Survey"). The scope and implementing arrangements of the Preparatory Survey are described in the Appendix 1. The main points discussed during its visit are described in the Appendix 2.

It should be noted that implementation of the Preparatory Survey does not imply any decision or commitment by JICA to extend its loan for the project at this stage.

Appendix 1: Scope and Implementing Arrangements of the Preparatory Survey
Appendix 2: Main Points Discussed
Appendix 3: Letter of Consent (draft)

Appendix 1

**SCOPE AND IMPLEMENTING ARRANGEMENTS
OF THE PREPARATORY SURVEY**

I. OBJECTIVES OF THE PROJECT

The objectives of the Project is to construct a new dedicated freight railway system through improvement and modernization of inter-modal logistic system handling considerable freight traffic and to elicit for massive growth thereby promoting comprehensive regional economic development along the freight corridor.

II. SCOPE OF THE PROJECT

The scope of the project is as per agreed in the Minutes of Discussion between JICA, MOR and DFCCIL for the Dedicated Freight Corridor Project Phase 2 (II) dated April 28th, 2010.

III. SURVEY AREA

State of Uttar Pradesh, Haryana, Gujarat and Maharashtra

IV. SCOPE OF THE PREPARATORY SURVEY

Close association shall be made with DFCCIL/MOR in conduct of the survey.

[A] Terms of Reference

The Preparatory Survey shall cover the following items:

<TOR1> Assistance to Preparation of Environmental Impact Assessment Report for the Phase 2 section of DFC Western Corridor

1-1. Review of the existing studies
To review the environmental impact assessment part of the JICA Study and Environmental and Social Impact Mitigation Measures Study (ESIMMS) for Vadodara – Vasal Road (including confirmation of consistency and appropriateness with Indian relevant environmental laws and procedures relating to the implementation of the Project and the JICA Guidelines for Confirmation of Environmental and Social Considerations dated April 2002 (hereinafter called as "JICA Environmental guidelines")), and to identify any additional necessary studies.

1-2. Conduct of Environmental Impact Assessment (EIA) Study

1-2-1 **Supplementary studies for Vadodara – Vasal Road section**
To conduct a supplementary study based on the findings from above 1-1 for Vadodara – Vasal Road section including collection of necessary baseline data through additional field surveys and secondary data for covering seasonal changes on natural environment, estimation of negative impacts during construction and operations stages in quantitative terms, etc (key study areas to be included are natural environment, water quality, noise and vibration, and identification of all sensitive Receptors).

1-2-2. **Full-scale EIA studies for Vasal Road – JNPT section and Rewari-Dadri section**
To conduct full-scale EIA for Vasal Road – JNPT section and Rewari-Dadri section including Pirithala-TKD in accordance with the JICA Environmental Guidelines and Indian relevant environmental laws and procedures. Components subject to study are as follows.

- a) **Natural Environment**
- Identify protected and endangered species in the study area and analyze impacts of the Project on them on a district basis with seasonal information
 - Inventory and analyze impacts of the Project on fauna and flora which exist in the study area on a district basis
 - Examine wildlife and forest reserves directly affected by the Project.
 - Inventory and analyze climate condition
 - Survey ground water conditions such as stream patterns, quantity and quality
 - Physiology, soil morphology, geology structure, and soil type inventory and analysis
- b) **Pollution Control**
- Noise and Vibration Survey
 - Collect baseline data for noise and vibration.
 - Select survey locations where they are close to sensitive receptors such as hospitals, schools, residential areas, etc. alongside the railway lines of the Project;
 - Conduct impact analysis for noise and vibration not only for sensitive receptors, but also for houses and other structures
 - Identify areas affected by the Project

Water Quality Analysis

- Collect baseline data for water quality.
- Identify important rivers directly affected by the construction of important bridges for the Project.
- Collect secondary data and existing data from the related ESCS and ESIMMS Report.
- Analyze likely impacts of water pollution as a result of bridge construction works based on the collected data.

Air Quality Examination

- Collect baseline data for air quality;
- Identify areas affected by the Project;
- Collect secondary data and existing data from the related ESCS and ESIMMS Report;
- Analyze likely impacts of air pollution as a result of bridge construction works based on the collected data.

c) **Socio-Economic/Cultural Components**

- Collect baseline data for socio-economic aspects including population, standards of living, economic development, social infrastructure and facilities, job opportunities and natural resource usage patterns;
- Collect baseline data on existing religious and cultural issues;
- Collect baseline data on land tenure system and traditional common use of land and

<p>water.</p> <p>d) Environmental Management Plan (Natural Environment and Pollution Control) Elaborate environmental management plan as follows:</p> <ul style="list-style-type: none"> • Identify and elaborate, as a result of the study on natural environmental impact assessment, measures necessary to take in order to mitigate, reduce, rectify, or compensate adverse environmental impacts caused by the Project to areas such as those subject to protection of the forest, wildlife, or any other species of fauna and flora and eco-sensitive areas; • Identify, if for instance a hospital should be kept noise, vibration, and air pollution free or free from any other sources of pollution, as a result of noise and vibration and its interview survey as well as other surveys on pollution control that are such units of receptors prone to such pollution are subject to environmental management. Elaborate appropriate environmental management measures such as noise-bouncing fencing, etc., that are effective to control sources of pollution subject to study within the framework of the Works; and • Elaborate a general environmental management plan subject to implementation during the construction period of the DFC Project. <p>e) Environmental Monitoring Plan (Natural Environment and Pollution Control) Elaborate an environmental monitoring plan as follows:</p> <ul style="list-style-type: none"> • Elaborate an environmental monitoring plan for the area subject to protection (such as forests, wildlife sanctuaries, archeological monuments and eco-sensitive areas alongside the DFC Project line) and areas subject to the environmental management plan; and • Elaborate a monitoring plan for the areas or units subject to the environmental management plan for noise, vibration, and air pollution, as well as other pollution control measures, as well as areas or units that are subject to the environmental management plan; • Elaborate general an environmental monitoring plan subject to implementation during the pre-construction, construction and post-construction period. <p>1-3. Integrate of Supplementary Studies and Full-scale EIA Studies 1-3-1 To integrate the results of TOR 1-2-1 and 1-2-2 as one comprehensive EIA of the Project.</p> <p>1-4. Assist for Public Consultation Meetings regarding EIA 1-4-1 To assist and to provide all logistics support in holding Public Consultation Meetings with MOP/DFCCIL after scoping for prioritized items in the EIA and after completion of draft EIA report.</p> <p><TOR> Assistance to preparation of Resettlement and Rehabilitation Plan (RRP) 2-1 Preparation of Resettlement and Rehabilitation Plan (RRP) 2-1-1 To review the RRP for the phase 1 of the DFC project 2-1-2 Document any steps taken to reduce land acquisition and resettlement impacts through changes in the alignment or scope of project components. 2-1-3 Identify key stakeholders and consult closely with them on their views about the project</p>	<p>and resettlement effects, including the people likely to experience resettlement effects. Identify any vulnerable groups (for example the very poor, those without formal title, pastoralists, households headed by women, indigenous peoples, isolated groups, the disabled) who might require special assistance and consult with them. Decide whether a process of social preparation is required for some or all of the people affected in order to build their capacity to address resettlement issues. If so, design a social preparation phase as part of the RP preparation. If not, choose methods to foster the participation of all key stakeholders in the process of resettlement planning and implementation.</p> <p>2-1-4 Conduct a census of all of the people potentially affected, to determine the scope and magnitude of likely resettlement effects, and to list likely losses. Suggest a cut-off date for entitlements.</p> <p>2-1-5 Conduct a socioeconomic survey of the people affected. Establish a baseline of incomes and expenditures, occupational and livelihood patterns, use of resources, arrangements for use of common property, social organization, leadership patterns, community organizations, and cultural parameters.</p> <p>2-1-6 Provide for relocation costs, lost income and income support during transition. Where appropriate, prepare relocation plans including selection and preparation of relocation sites. Make provisions for landownership, tenure and transfer, and access to resources. Where incomes must be restored, provide for needs assessment, employment generation and credit disbursement. Where affected people are to change their occupation, provide for training and vocational support mechanisms. Review the likely environmental impact of the resettlement process, and build in plans to mitigate any adverse environmental effects.</p> <p>2-1-7 Prepare a framework for participation of people affected in the finalization of project component designs, entitlements and the implementation of land acquisition and resettlement. Prepare special measures for consultation with any vulnerable groups. Specify mechanisms for the resolution of grievances and an appeals procedure</p> <p>2-1-8 Prepare an institutional framework that designates responsibilities to prepare the detailed assets inventories, provide compensation, undertake relocation work, take responsibility for income restoration, supervise, manage and monitor the implementation of land acquisition and resettlement. This includes the environmental management and monitoring for the resettlement process. Recommend an institutional strengthening strategy and or formation and training of a resettlement unit within the executing agency, if required.</p> <p>2-1-9 Prepare a monitoring and evaluation plan, identifying the responsibilities, time frame and some key indicators. This will include ongoing monitoring by key agencies supplemented by an independent evaluation. Specify the time frame for monitoring and reporting.</p> <p>2-1-10 Prepare a time frame and implementation schedule for land acquisition and resettlement in conjunction with the agreed implementation schedule for project components, showing how affected people will be provided for before de-politition begins.</p> <p>2-1-11 Prepare an indicative budget. Identify indicative land acquisition and resettlement costs. Prepare budgetary allocation and timing. Specify sources of funding and approval process. Prepare an annual budget estimate for resettlement by major category or expenditure.</p> <p>2-2 Assist for Public Consultation Meetings regarding RRP 2-2-1 To assist and to provide all logistics support in holding Public Consultation Meetings with MOP/DFCCIL in accordance with framework for participation of people affected prepared in above g).</p>
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<Target Schedule> July 2010– March 2010 (9 months)	
April, 2010	TOR mission (agreement on TOR between JICA and MOR/DFCCIL)
June, 2010	Selection of consultant by JICA
July, 2010	Mobilization of Survey Team
	Commencement of the Survey
	Submission of Inception Report
August, 2010	Submission of scoping results and proposed contents of EIA
September–November, 2010	Submission of the results of baseline survey (census, asset inventory, socioeconomic survey) and proposed outline of RRP
December, 2010	Submission of Draft EIA
January, 2011	Submission of Draft RRP
March, 2011	Submission of Final Report

VI. REPORTS

JICA will prepare and submit following reports in English to MOR/DFCCIL.

- Inception Report:
 - 10 copies each will be submitted at the commencement of the first work period in India. This report will cover proposed work schedule and the survey plan.
- Scoping results and proposed contents of EIA
 - 10 copies each will be submitted by the end of August. This report will cover revised schedule for EIA part of the Preparatory Survey and the work plan based on discussion with MOR/DFCCIL.
- Results of Baseline Survey
 - 10 copies each will be submitted by the end of September–November. This report will cover the result of base line survey for RRP and proposed schedule based on the baseline survey.
- Draft EIA:
 - 10 copies each will be submitted by the end of December. MOR/DFCCIL shall submit its comments within two weeks after the receipt of the Draft EIA.
- Draft RRP
 - 10 copies each will be submitted by the end of January. MOR/DFCCIL shall submit its comments within two weeks after the receipt of the Draft EIA.

<TOR> Proposal of institutional framework for DFCCIL

3-1 Propose of institutional framework for the Social and Environmental Management Unit (SEMU) in the headquarter and the Chief Project Manager (CPM) offices in the field level

3-1-1 To review present institutional capacities of SEMU and CPM offices

3-1-2 To identify a problem area(s) of SEMU and CPM offices

3-1-3 To propose the institutional framework for SEMU and CPM offices including following 6 documents in accordance with Indian rule and regulations. This plan should be feasible in terms of DFCCIL's capacity and human resources.

- Organizational diagram
- Total staff numbers
- Functional description
- Staff title and salary grade
- Job descriptions
- Qualification standards

3-1-4 To propose a recruitment plan for vacant positions proposed in the institutional framework described in above 3-3-3

3-1-5 To prepare a training program for new staffs in SEMU and CPM offices.

3-2 To propose the TOR for supporting agencies in aspects of environmental and social considerations.

3-2-1 To review present structures for supporting agencies including consultants, NGO (if any) and external monitoring agency.

3-2-2 To identify a problem area(s) of supporting agencies

3-2-3 To propose TOR for supporting agencies including following 4 documents.

- Scope of work
- Implementation Schedule
- Criteria for selection
- Budget

(B) Desirable specialists for the Preparatory Survey

JICA will select and dispatch a survey team to carry out the Preparatory Survey. The team will include the following specialists.

- International experts 13 MM
- Local experts 66 MM

The assignment of the specialists may be subject to change. The Survey team may engage local consultants, NGOs, and/or other supporting staffs.

V. SCHEDULE OF THE PREPARATORY SURVEY

The Preparatory Survey will be carried out in accordance with the tentative schedule below. The schedule may be subject to change during the preparation and the course of the survey.

6. Final Report

10 copies each will be submitted by the end of March.

VII. UNDERTAKINGS OF THE GOVERNMENT OF INDIA

MOR/DFCCIL shall act as a counterpart agency to the survey team and also as a coordinating body with other organizations concerned for the smooth implementation of the Preparatory Survey.

MOR/DFCCIL shall, at its own expense, provide the survey team with the following items in cooperation with other organizations concerned:

- (1) security-related information as well as measures to ensure the safety of the survey team;
- (2) information as well as support in obtaining medical service;
- (3) data and information related to the Preparatory Survey;
- (4) counterpart personnel;
- (5) suitable office space with necessary equipment and secretarial service;
- (6) credentials or identification cards;
- (7) entry permits necessary for the survey team members to conduct field surveys;
- (8) support in making transportation arrangements; and
- (9) support in obtaining other privileges and benefits, if necessary.

Assist the team in custom clearance, exempt from any duties with respect to equipment, instruments, tools and other articles to be brought into and out of [recipient country] in connection with the implementation of the survey

MOR/DFCCIL shall bear claims, if any arises, against the members of the survey team resulting from, occurring in the course of, or otherwise connected with the discharge of their duties in implementation of the Preparatory Survey, except when such claim arise from gross negligence or willful misconduct on the part of the member of the survey team.

VIII. CONSULTATION

JICA and the MOR/DFCCIL shall consult with each other in respect of any matter that may arise from or in connection with the Preparatory Survey.

IX. OTHERS

1. MOR/DFCCIL and JICA confirmed that MOR/DFCCIL expressed the possibility of making an official request to the Government of Japan for financing the Project after scrutinizing outcomes and recommendations of the Preparatory Survey.
2. MOR/DFCCIL agreed that the information of the Preparatory Survey reports should be disclosed in accordance with Japanese law and regulation with regard to information

disclosure, while the information distorting bidding competitiveness or other confidential information should not be disclosed.

END

LETTER OF CONSENT (DRAFT)

[date]
[RefNo]

Naveen Kumar Shukla
Executive Director
Perspective Planning
Ministry of Railways

Dedicated Freight Corridor Corporation of India Limited

RE: The Preparatory Survey on Dedicated Freight Corridor Project (Phase 2) (II)

Dear Mr/Ms. ,

With reference to the Minutes of Meetings between the Government of India and the Japan International Cooperation Agency dated on April 28, 2010, we are pleased to inform you that we have no objection to implement the Preparatory Survey on Dedicated Freight Corridor Project (Phase 2) (II).

However, compared with the Minutes of Meetings, we have made [number] modifications as follows:

Please let us know if you have any questions and comments regarding these modifications.

If we do not receive your questions or comments in writing by [date], we consider that you have no objection to the proposed modifications, and would like to commence the Preparatory Survey with modifications above.

Yours faithfully,

HARA Shohei
Director, Division 1, South Asia Department
Japan International Cooperation Agency

CC:
JICA India

THE MAIN POINTS DISCUSSED

1. Prerequisite for the Preparatory Survey;
 - 1.1 The JICA Mission and MOR/DFCCIL agreed that environmental and social considerations for the Project will be supported by a JICA Preparatory Survey to utilize time most efficiently.
 - 1.2 The JICA Mission explained that based on the experiences JICA had in the past, the conditions for the JICA Preparatory Survey regarding Social and Environmental Management Unit (SEMU) is to strengthen SEMU including assigning a GM level resource solely for the Western Corridor.
 - 1.3 In addition to the assignment of GM level full-time personnel, who is in charge of the Western Corridor only, the JICA Mission stressed that the capacity of SEMU needs to be further enhanced. Since CPM offices handle each territory in charge, SEMU needs to control, manage, and supervise every progress of CPMs as the unit in the headquarters with sufficient and capable staff.
 - 1.4 MOR/DFCCIL fully understood it and explained that DFCCIL already hired one (1) environmental specialist and recruitment of one (1) social consideration specialist is currently in the process to strengthen SEMU as discussed with JICA. The current organizational structure of SEMU is attached as Attachment-1 of the Minutes of Discussion on Dedicated Freight Corridor Project (Phase 2), and functional description and job description are summarized.
 - 1.5 The JICA Mission reiterated the needs of the strengthening of the SEMU of the DFCCIL as noted above, and the JICA Mission and MOR/DFCCIL agreed that if serious concern on the progress of the environmental and social consideration works arises during the course of the Preparatory Survey, MOR/DFCCIL will take all necessary measures, while JICA may take necessary measures including suspension of the Preparatory Survey.
2. Final Location Survey/Alignment;
 - 1.6 The JICA Mission stressed that, since the Preparatory Survey can only be implemented based on the results of Final Location Survey after alignment is confirmed, it should be adequately finalized and submitted to JICA by the middle of August. MOR/DFCCIL agreed to it.
3. Schedule;
 - 1.7 The JICA Mission and MOR/DFCCIL agreed a full and duly approved EIA for the Phase 2 section is required for some part of the Project, in which seasonal changes during one year should be taken into account. Considering India's pressed needs for the early realization of the project, the current schedule for EIA is the minimum length required and this proposed schedule is at JICA's best efforts.
 - 1.8 MOR/DFCCIL noted it and explained to JICA it would make all the efforts to keep the duration of critical activities in order to commission the Project on schedule. (end)