

# **Dedicated Freight Corporation of India Limited Rail Logistics Project P177856**

## **ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN (ESCP)**

**April 2022**

## ENVIRONMENTAL AND SOCIAL COMMITMENT PLAN

1. The Dedicated Freight Corridor Corporation of India Limited (DFCCIL), the borrower (the Borrower) will implement the Rail Logistics Project (the Project) as set out in the Loan Agreement. The International Bank for Reconstruction and Development (the World Bank/Bank), has agreed to provide financing for the Project, as set out in the referred agreement. India will act as a guarantor (the Guarantor) to the borrower, as set out in the Guarantee agreement.
2. DFCCIL shall ensure that the Project is carried out in accordance with the Environmental and Social Standards (ESSs) and this Environmental and Social Commitment Plan (ESCP), in a manner acceptable to the Bank. The ESCP is a part of the Loan Agreement. Unless otherwise defined in this ESCP, capitalized terms used in this ESCP have the meanings ascribed to them in the referred agreement(s).
3. Without limitation to the foregoing, this ESCP sets out material measures and actions that the DFCCIL shall carry out or cause to be carried out, including, as applicable, the timeframes of the actions and measures, institutional, staffing, training, monitoring and reporting arrangements, and grievance management. The ESCP also sets out the environmental and social (E&S) instruments that shall be adopted and implemented under the Project, all of which shall be subject to prior consultation and disclosure, consistent with the ESS, and in form and substance, and in a manner acceptable to the Bank. Once adopted, said E&S instruments may be revised from time to time with prior written agreement by the Bank.
4. As agreed by the Bank and DFCCIL, this ESCP will be revised from time to time if necessary, during Project implementation, to reflect adaptive management of Project changes and unforeseen circumstances or in response to Project performance. In such circumstances, DFCCIL and the Bank agree to update the ESCP to reflect these changes through an exchange of letters signed between the Bank and the Managing Director] of Dedicated Freight Corridor Corporation of India Limited. The DFCCIL shall promptly disclose the updated ESCP.

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
<b>MONITORING AND REPORTING</b>			
A	<p><b>REGULAR REPORTING</b></p> <p>Prepare and submit to the World Bank regular monitoring reports on the environmental, social, health and safety (ESHS) performance of the Project, including but not limited to the implementation of the ESCP, status of preparation and implementation of E&amp;S instruments required under the ESCP, stakeholder engagement activities, and functioning of the grievance mechanism(s).</p>	<p><i>Quarterly not later than 25 days from end of a calendar quarter</i></p>	<p>DFCCIL through its Social and Environmental Management Unit (SEMU)</p>
B	<p><b>INCIDENTS AND ACCIDENTS</b></p> <p>Promptly notify the World Bank of any incident or accident related to the Project which has, or is likely to have, a significant adverse effect on the environment, the affected communities, the public or workers, including, inter alia, cases of sexual exploitation and abuse (SEA), sexual harassment (SH), and accidents that result in death, serious or multiple injury. Provide sufficient detail regarding the scope, severity, and possible causes of the incident or accident, indicating immediate measures taken or that are planned to be taken to address it, and any information provided by any contractor and/or supervising firm, as appropriate.</p> <p>Subsequently, at the World Bank’s request, prepare a report on the incident or accident and propose any measures to address it and prevent its recurrence.</p>	<p>Promptly and no later than forty-eight hours after taking notice of the Project-related incident or accident.</p> <p>Provide subsequent investigation report with corrective action plan/measures to the World Bank within 45 days from the time of the incident.</p>	<p>For Accidents DFCCIL through its Safety Dept.</p> <p>For complaints on Sexual Exploitation and Sexual Harassment Incidents, DFCCIL through SEMU</p>
C	<p><b>CONTRACTORS’ MONTHLY REPORTS</b></p> <p>Require contractors and supervising firms to provide monthly monitoring reports on ESHS performance in accordance with the metrics specified in the respective bidding documents and contracts and submit such reports to the World Bank upon request.</p>	<p>Submit the monthly reports to the World Bank upon request and as annexes to the reports to be submitted under action B above.</p>	<p>Contractor through DFCCIL</p>
<b>ESS 1: ASSESSMENT AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL RISKS AND IMPACTS</b>			

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
1.1	<p><b>ORGANIZATIONAL STRUCTURE</b></p> <p>Maintain a Social and Environmental Management Unit (SEMU) with qualified staff and resources to support management of ESHS risks and impacts of the Project including, an Environmental Specialist, a Social Specialist, and a Stakeholder Engagement Specialist.</p>	<p>Maintain a SEMU as set out in the Project Agreement. Hire or appoint the Stakeholder Engagement / Communication Specialist within 90 days of Project signing, and thereafter maintain these positions throughout Project implementation.</p>	DFCCIL
1.2	<p><b>ENVIRONMENTAL AND SOCIAL INSTRUMENTS</b></p> <p>1. Adopt and implement an Environmental and Social Compliance Audit &amp; Gap Analysis to establish extent of compliance with E&amp;S requirements set out in the ESIA, EMP, and RAP prepared and already disclosed for Khurja – Ludhiana and Kanpur-Mughalsarai sections, and corresponding Corrective Action Plan (CAP) for on-going works contracts Component 1.a of the Project, consistent with the relevant ESSs.</p> <p>2. Prepare, approve, adopt and implement a companywide Environmental and Social Management Framework (ESMF) for the new activities, consistent with the relevant ESSs.</p>	<p>1. E&amp;S Compliance Audit &amp; Gap Analysis completed prior to project appraisal and EMP and CAP implemented throughout project implementation.</p> <p>2. Prepare and adopt the ESMF within 12 months of effectiveness and thereafter implement the ESMF throughout Project implementation for new activities.</p>	DFCCIL
1.3	<p><b>MANAGEMENT OF CONTRACTORS</b></p> <p>Incorporate the relevant aspects of the ESCP, including, inter alia, the relevant E&amp;S instruments, the Labor Management Procedures, and code of conduct, into the ESHS specifications of the procurement documents and contracts with contractors and supervising firms. Thereafter ensure that the contractors and supervising firms comply and cause subcontractors to comply with the ESHS specifications of their respective contracts.</p>	<p>As per commitment plan, required compliances will be met for new contracts and retrofitted in old contracts where feasible.</p>	DFCCIL
1.4	<p><b>TECHNICAL ASSISTANCE</b></p> <p>Ensure that the consultancies, studies (including feasibility studies, if applicable), capacity building, training, and any other technical assistance activities under the Project, including, inter alia, ESIA for any new identified corridors are carried out in accordance with terms of reference acceptable to the World Bank and are consistent with the ESSs. Thereafter ensure that the outputs of such activities comply with the terms of reference.</p>	<p>Prior to award of consultancies, and throughout Project implementation.</p>	DFCCIL

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
1.5	<p><b>ASSOCIATED FACILITIES</b></p> <p>DFCCIL to ensure that all new identified associated facilities /activities in the project, such as construction of Rail Over/Under Bridges (ROBs/ RUBs) are carried out in accordance with the DFCCIL's ESMF.</p>	Within 12 months of Project Effectiveness and implementation throughout Project period	DFCCIL
1.6	DFCCIL to share the details of ongoing associated facilities for Bank's review	Within 12 months of effectiveness	DFCCIL
1.7	DFCCIL to undertake Ex post audit of RLP activities to confirm extent of implementation of commitments under ESCP	At the end of RLP implementation	DFCCIL
<b>ESS 2: LABOR AND WORKING CONDITIONS</b>			
2.1	<p><b>LABOR MANAGEMENT PROCEDURES</b></p> <p>Adopt and implement the Labor Management Procedures (LMP) for the Project, including, inter alia, provisions on working conditions, management of workers relationships, occupational health and safety (including personal protective equipment, and emergency preparedness and response), code of conduct (including relating to SEA and SH), forced labor, child labor, grievance arrangements for Project workers, and applicable requirements for contractors, subcontractors, and supervising firms.</p>	LMP will be implemented within one year of effectiveness and continued throughout the life of the project	DFCCIL through contractors
2.2	<p><b>Provisions of LMP to be retrofitted in ongoing contracts</b></p> <p>This includes provisions on working conditions, management of workers relationships, occupational health and safety (including personal protective equipment, and emergency preparedness and response), code of conduct (including relating to SEA and SH), forced labor, child labor, grievance arrangements for Project workers, and applicable requirements for contractors, and supervising firms.</p>	Within six months of project effectiveness	DFCCIL
2.3	<b>Adopt and implement an OHS Management Plan for each new contract.....</b>	Within 120 days of commencement of each new contract	DFCCIL through contractors
2.4	<p><b>GRIEVANCE MECHANISM FOR PROJECT WORKERS</b></p> <p>Establish and operate a grievance mechanism for Project workers, as described in the LMP and consistent with ESS2.</p>	Maintain /enhance existing grievance mechanism and thereafter maintain and operate it throughout Project implementation.	DFCCIL through Contractors
<b>ESS 3: RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</b>			
3.1	<p><b>WASTE MANAGEMENT PLAN</b></p> <p>Adopt and implement ESMP provisions, to manage hazardous and non-hazardous wastes, consistent with ESS3 for all new contracts.</p>	Within 120 days of commencement of each new contract Implement the waste management provisions of the ESMP throughout Project implementation.	DFCCIL through Contractors
3.2	<b>RESOURCE EFFICIENCY AND POLLUTION PREVENTION AND MANAGEMENT</b>	Throughout Project implementation	DFCCIL through contractors

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	Incorporate resource efficiency and pollution prevention and management measures such as re-use of waste concrete, plastic, etc. where feasible as part of implementation of the ESMP.		
<b>ESS 4: COMMUNITY HEALTH AND SAFETY</b>			
4.1	<b>TRAFFIC AND ROAD SAFETY</b> Incorporate and maintain measures to manage traffic and road safety risks as required in the ESMP.	Throughout Project Implementation	DFCCIL through contractors
4.2	<b>COMMUNITY HEALTH AND SAFETY</b> Manage specific risks and impacts to the community arising from Project activities, including, inter alia, noise and vibration, behavior of Project workers, risks of labor influx (e.g. labor influx management plan), response to emergency situations, and include mitigation measures in line with the ESMPs.	Throughout Project Implementation	DFCCIL through contractors
4.3	<b>SEA AND SH RISKS</b>  Adopt and implement a SEA/SH Action Plan to assess and manage the risks of SEA and SH.	SEA/SH plan has been prepared as part of ongoing project and is under implementation. DFCCIL will continue to implement the SEA/SH Action Plan throughout Project implementation.	DFCCIL and Contractor
4.4	<b>SECURITY MANAGEMENT</b> Assess and implement measures to manage the security risks of the Project, including the risks of engaging security personnel to safeguard project workers, sites, assets, and activities, guided by the principles of proportionality and GIIP, and by applicable law, in relation to hiring, rules of conduct, training, equipping, and monitoring of such personnel.	Throughout Project Implementation	DFCCIL and Contractor
<b>ESS 5: LAND ACQUISITION, RESTRICTIONS ON LAND USE AND INVOLUNTARY RESETTLEMENT</b>			
5.1	<b>RESETTLEMENT POLICY FRAMEWORK</b>  Update, Adopt and implement a companywide Resettlement Policy Framework (RPF) for the new activities consistent with ESS5.	Adopt the updated RPF and disclose by project appraisal within 12 months of Project agreement, and thereafter implement the RPF throughout Project implementation.	DFCCIL
5.2	<b>RESETTLEMENT PLANS</b>  Adopt and implement already prepared resettlement action plan (RAP) for ongoing activity under the Project and prepare and implement such plans for new activities for which the companywide RPF requires such RAP, as set out in the RPF, and consistent with ESS5.	RAP for the Component 1.a is already under implementation.  RAPs for new activities will be prepared prior to the invitation of bids and will be implemented.	DFCCIL

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
5.3	<p><b>GRIEVANCE MECHANISM</b></p> <p>Establish and maintain a grievance mechanism consistent with the requirements of ESS 5</p>	Project has a Grievance Mechanism that will be strengthened within 90 days of project effectiveness.	DFCCIL
<b>ESS 6: BIODIVERSITY CONSERVATION AND SUSTAINABLE MANAGEMENT OF LIVING NATURAL RESOURCES</b>			
6.1	<p><b>BIODIVERSITY RISKS AND IMPACTS</b></p> <p>Adopt and implement a Biodiversity Management Strategy, and when required, a Biodiversity Management Plan (BMP) as part of the ESMF for new activities under Component 1.b of the project consistent with ESS6.</p>	BMP and strategy will be prepared as part of ESMF in the first year of implementation. Thereafter DFCCIL to adopt and implement the BMP throughout Project implementation.	DFCCIL
<b>ESS 8: CULTURAL HERITAGE</b>			
8.1	<p><b>CULTURAL HERITAGE RISKS AND IMPACTS</b></p> <p>Prepare, adopt and implement a Cultural Heritage Management Strategy (CHMS) with guidance for preparing Cultural Heritage Management Plan as part of the ESMF as part of the ESMF for new activities under Component 1.b of the Project and consistent with ESS8.</p>	CHMS will be prepared as part of ESMF in the first year of implementation. Thereafter DFCCIL to adopt and implement the CHMP throughout Project implementation.	DFCCIL
8.2	<p><b>CHANCE FINDS</b></p> <p>Describe and implement the chance finds procedures, as part of the ESMF and ESMP of the Project.</p>	Implement the procedures throughout Project implementation.	
<b>ESS 10: STAKEHOLDER ENGAGEMENT AND INFORMATION DISCLOSURE</b>			
10.1	<p><b>STAKEHOLDER ENGAGEMENT PLAN PREPARATION AND IMPLEMENTATION</b></p> <p>Prepare, adopt and implement a Stakeholder Engagement Plan (SEP) for the Project, that includes measures to, inter alia, provide stakeholders with timely, relevant, understandable and accessible information, and consult with them in a culturally appropriate manner, which is free of manipulation, interference, coercion, discrimination and intimidation.</p>	SEP prepared as part of project preparation. Draft SEP will be disclosed and comments will be invited from all stakeholders before project appraisal. Implementation and annual reporting throughout project implementation	DFCCIL
10.2	<p><b>PROJECT GRIEVANCE MECHANISM</b></p> <p>Publicize, strengthen, maintain, and operate the existing grievance mechanism, in line with CAP, to receive and facilitate resolution of concerns and grievances in relation to the Project, promptly and effectively, in a transparent manner that is culturally appropriate and readily accessible to all Project-affected parties, at no cost and without retribution, including concerns and grievances filed anonymously, in a manner consistent with ESS10.</p>	Strengthen and publicize the grievance mechanism within 90 days of Project Effectiveness, and thereafter maintain and operate the mechanism throughout Project implementation.	DFCCIL

MATERIAL MEASURES AND ACTIONS		TIMEFRAME	RESPONSIBLE ENTITY
	The grievance mechanism shall be equipped to receive, register, and facilitate the resolution of SEA/SH complaints, including through the referral of survivors to relevant gender-based violence service providers, all in a safe, confidential, and survivor-centered manner.		
<b>CAPACITY SUPPORT</b>			
CS1	<p>Training should may be required for SEMU staff, PMC E&amp;S staff on:</p> <ol style="list-style-type: none"> <li>1. Stakeholder mapping and engagement</li> <li>2. Labor management procedures</li> <li>3. Grievance Management</li> <li>4. Orientation training on implementing the various provisions of ESF</li> <li>5. ESF requirements for situations not encountered previously E.g. ESS6 and ESS7</li> <li>6. Safety protocols for responding to accidents at project sites</li> <li>7. Implementation, Monitoring and reporting of ESMPs</li> <li>8. Training on worker OHS/Community Health and Safety, SEAH Action Plan</li> <li>9. COVID-19 Infection Prevention and Control</li> <li>10. Emergency preparedness and response</li> <li>11. Community health and safety</li> </ol>	<p>For 1-3, Within 3 months of Project Effectiveness                      For 4&amp;5, Within 6 months of Project Effectiveness                      For 6-11, Repeat/Refresher courses every year</p>	DFCCIL (Through component 2.d of the project)
CS2	<p>Training modules for project workers on:</p> <ul style="list-style-type: none"> <li>Working at height</li> <li>Working close to live tracks</li> <li>Working close to/in water</li> <li>First Aid for accidents/injury in above- described situations</li> <li>Responding to Emergency like Earthquake, Fire, Flood</li> </ul>	<p>Upon arrival at project site for work;                      Refresher including Tool Box Talks at frequency of no less than 1 per week</p>	DFCCIL through Contractors