

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF INDIA
AND
THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA
ON ENHANCING TECHNICAL COOPERATION IN RAILWAY SECTOR**

The Government of the Republic of India and the Government of the People's Republic of China (hereinafter referred to as "the Parties"):

Recalling the consensus on promoting railway cooperation reached by the Parties during the 3rd China-India Strategic Economic Dialogue in March, 2014, and MoU on Technical Cooperation signed between the Ministry of Railways of the Republic of India and former Ministry of Railways of the People's Republic of China on 26.11.2012.

For further promoting the friendly cooperation relations between the two countries, desiring to deepen the intergovernmental railway cooperation between the two countries under the India-China Strategic Economic Dialogue (hereinafter referred to as the "SED") mechanism.

The Parties have reached the following understanding:

Article 1 - Cooperation Principles

The Parties agree to cooperate in railway sector under the principles of equality, mutual benefit and win-win cooperation, and related content must comply with their respective national laws and regulations.

Article 2 - Cooperation Fields

- 2.1 The Parties agree to carry out exchanges and cooperation in the following areas (but not limited to):
- 2.1.1 Conduct joint study & projects on speed-raising of existing lines in India;
 - 2.1.2 Carry out feasibility of cooperation on India high speed railways;
 - 2.1.3 Conduct personnel training program;
 - 2.1.4 Launch projects of manufacturing locomotives and rolling stocks;
 - 2.1.5 Redeveloping India railway stations;
 - 2.1.6 Setting up of railway University in India; and
 - 2.1.7 Other forms of cooperation agreed by the Parties.

- 2.2 The Parties agree that the forms of cooperation could include but not limited to performance of consultation and feasibility studies and other services, exchange of information on policies, laws and regulations, conducting training and exchange programmes, providing technical assistance, and organizing site visits, jointly organizing symposiums, seminars, and conferences on themes of mutual interest.
- 2.3 Both Parties agree that the mode of cooperation will be decided by the enterprises or research / design institutes on a case-by-case basis and could be based on market principles.

Article 3 - Steering Organization and Coordinating Mechanism

- 3.1 The steering organizations of this Memorandum of the Parties are the Ministry of Railways of the Republic of India and the National Railway Administration of the People's Republic of China. For specific areas of cooperation, the Parties may assign coordinating agencies from each side.
- 3.2 Both Parties agree to establish a regular communication mechanism providing guidance and support for the implementation of cooperation projects jointly carried out by the enterprises or research / design institutes from both countries.

Article 4 - Intellectual Property Rights

- 4.1. The Parties will retain their respective intellectual property rights and all other patent, reproduction and trademark rights with respect to all documents which might be disclosed during fulfillment of this Memorandum according to their respective national laws and regulations.
- 4.2. The provision of such documents shall be agreed between the Parties on commercial terms and fixed under separate agreements, comprising obligatory provisions regarding protection of confidentiality and intellectual property.

Article 5 - Cost

The cost / fees for undertaking any of the cooperation projects / activities / services shall be decided as agreed to by the Parties.

Article 6 - Settlement of Disputes

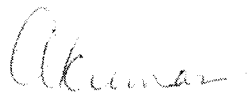
Any dispute arising between the Parties in regard to interpretation and application of this Memorandum shall be settled amicably through friendly consultation and negotiation by the Parties.

Article 7 - Entry into force, Duration and Termination

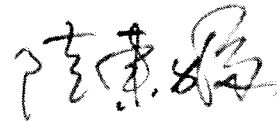
- 7.1. The Memorandum takes effect on the date of its signature by both Parties and will remain in force for three (3) years. If neither side gives notice to amend or terminate this Memorandum at least two months prior to the expiry date, the Memorandum will be automatically renewed without special reasons for a further period of two (2) years.
- 7.2. The term of contracts signed by the Parties under this Memorandum may exceed the term of this Memorandum.
- 7.3. This Memorandum may also be amended by mutual written agreement.

In witness whereof, the undersigned, duly authorized thereto by their respective Government, have signed this MoU.

Signed at New Delhi on 18th September, 2014, in two originals, each in English, Hindi and Chinese languages; all texts being equally authentic. In case of divergence in interpretation, the English text shall prevail.



Arunendra Kumar,
Chairman, Railway Board
Ministry of Railways,
Government of the Republic of
India



LU Dongfu,
Administrator of National Railway
Administration,
Vice-Minister of Transport,
Government of the People's Republic of
China