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**National Human Rights Commission**

**Minutes of the meeting of the Core Group meeting on Business and Human Rights**

A meeting of the Core Group on Business and Human Rights was held on 11<sup>th</sup> July, 2024 at the Manav Adhikar Bhawan, New Delhi. The meeting was chaired by Smt. Vijaya Bharathi Sayani, Hon'ble Acting Chairperson, NHRC. Shri Bharat Lal, Secretary General, Shri Ajay Bhatnagar, Director General (Investigation), Shri Joginder Singh, Registrar (Law) Smt. Anita Sinha, Joint Secretary, Shri Devendra Kumar Nim, Joint Secretary and other senior officers were present in the meeting. Representatives from various ministries, autonomous bodies, non-governmental organizations (NGOs), international organization, academia along with members of the Core Group and special invitees also attended the meeting. The list of participants is annexed.

2. The Background Note including Agenda Note was circulated in advance. The Agenda of the meeting of the Core Group was '*Safeguarding Dignity: Human Rights Due Diligence across Supply Chains*' which broadly focused on four critical themes, listed below:

- i.) Importance and Key Features of Human Rights Due Diligence
- ii.) Understanding Gaps and Challenges in Existing Systems;
- iii.) Emerging Good Practices; and
- iv.) Way Forward. Each of the themes was elaborately discussed in four technical sessions

3. While welcoming the participants, Mr. Devendra Kumar Nim elaborated on the theme of the meet '*Safeguarding Dignity: Human Rights Due Diligence across Supply Chains.*' In a globally interconnected economy, he stressed that pursuing profit should never compromise fundamental human rights. Shri Nim underscored our collective responsibility to ensure that every facet of business practices respects and upholds the inherent dignity and rights of all individuals involved. He emphasized on our collective responsibility concerning business and human rights, citing tragic incidents of human rights violations among workers across various regions in India. His address stressed on the critical importance of implementing human rights due diligence (HRDD) in business operations.



**Shri Devendra Kumar Nim, Joint Secretary, NHRC briefing the participants about the Agenda of the Core Group Meeting**

4. In opening remarks, Shri Bharat Lal emphasized that fundamental rights are at the core of our constitution, with the preamble serving as its soul. He highlighted the risks faced by gig workers who deliver food in shortest possible time exposing themselves to road accidents and stressful conditions that also cause mental health issues. Shri Bharat Lal emphasized the critical need for improved human rights conditions in both the service and manufacturing sectors, stressing that inequality and exploitation should have no place in our society. He advocated for a competitive economy and business environment that anticipates and mitigates future barriers, ensuring that human rights are universally enjoyed by all.



**Shri Bharat Lal, Secretary General, NHRC delivering opening remarks to the participants of Core Group Meeting on Business and Human Rights**

5. In her inaugural address, Acting Chairperson Smt. S. Vijaya Bharathi highlighted the importance of respecting human rights, including labor rights, and their alignment with the Sustainable

Development Goals (SDGs). She noted that over 90 percent of the SDGs' goals and targets correspond to human rights obligations. She emphasized the need for businesses to integrate human rights protection into their organizational culture to operate sustainably and extend these principles throughout their supply chains. She further highlighted the necessity for businesses to embed human rights protection into their organizational ethos to ensure sustainable operations and to extend these principles across their supply chains. Furthermore, she spotlighted the proactive measures taken by NHRC in response to reports of anti-labor practices at Amazon's warehouse in Haryana and discriminatory practices at Foxconn, a prominent manufacturer of Apple devices in Tamil Nadu. These actions reaffirm NHRC's commitment to safeguarding human rights across diverse sectors, ensuring that all individuals are treated with dignity and fairness.



**Smt. S. Vijaya Bharathi Sayani, Hon'ble Acting Chairperson, NHRC delivering Inaugural Address to the participants of the Meeting**

6. **Dr. Jatinder Singh** highlighted the importance of conducting human rights audits and implementing training and capacity-building programs for board members. Dr. Singh emphasized the need to integrate human rights processes into supply chains and advocated for transparent supply chain mapping. He also expressed concerns about informal workers, such as gig and platform workers, who currently operate outside the regulatory framework. Lastly, he stressed the necessity of regular revision and updating of human rights policies to ensure relevance and effectiveness.

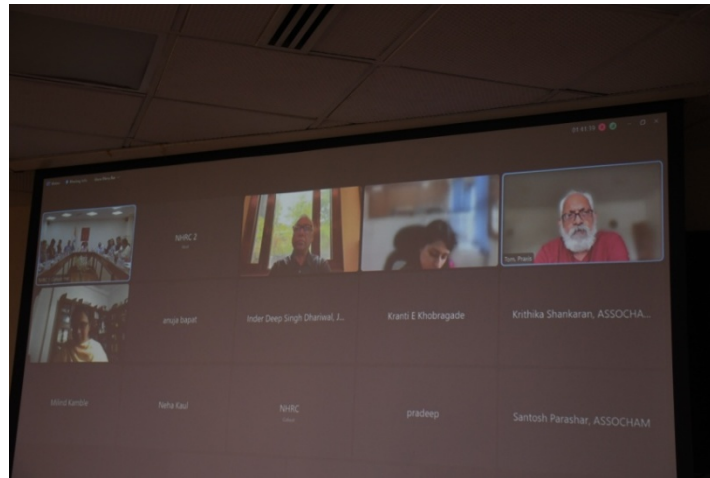
7. **Ms. Chayaa Nanjappa** discussed the issues and challenges faced by female entrepreneurs in India, emphasizing the importance of skilling, training, and due diligence. Ms. Nanjappa emphasized the need to implement suggestions from those working directly in rural India, regardless of gender, to overcome challenges effectively.



**Dr. Jatinder Singh, Assistant Secretary General, PHD Chamber of Commerce and Industry, emphasizing the need to integrate human rights processes into supply chains**

8. **Dr. Garima Dadhich** discussed several challenges faced by businesses regarding human rights due diligence. She emphasized the comprehensive nature of the due diligence cycle, which involves identifying stakeholders, prioritizing issues, and continually reviewing and updating policies and processes. Dr. Dadhich pointed out that accountability and integration remain significant challenges despite businesses having established policies. She highlighted the necessity for sector-specific guidelines to address these issues effectively.

9. **Mr. Tom Thomas** underscored the evolving landscape of corporate responsibility, advocating for a transition from the current first generation of human rights due diligence (HRDD) focused on disclosure to a second generation that includes proactive risk identification, action-taking obligations, and transparent reporting of outcomes. He emphasized the significance of frameworks such as NVGS, NGRBC, and UNGP in shaping corporate obligations, particularly through comprehensive tools like the BRSR. Mr. Thomas also highlighted the critical vulnerability of supply chains and stressed the need for greater accountability and protection measures, urging multi-stakeholder partnerships to effectively address human rights impacts across sectors, including integrating the private sector under NHRC ambit.



**Mr. Tom Thomas, CEO, Praxis Institute for Participatory Practices, elaborating about good practices**

10. **Ms. Neha Kaul** emphasized the importance of skilling, educating, and raising awareness within supply chains about human rights and its essential elements. She stressed the need for providing adequate time frames to enable supply chains to effectively incorporate human rights parameters into their business models. Ms. Kaul highlighted that this approach is crucial for ensuring comprehensive adoption and integration of human rights principles throughout supply chain operations.

11. **Dr. Vasanthi Srinivasan** delved into the dynamics of the second tier of the value chain, focusing on the informal sector, which presents both opportunities and challenges. She stressed the necessity for developing tailored models, frameworks, methods, and tools aimed at enhancing human rights due diligence. Dr. Srinivasan underscored the critical role of awareness in transforming this process from compliance-focused to commitment-oriented. She proposed the establishment of a multi-stakeholder platform to delve deeply into identified sectors, aiming to innovate and refine approaches to human rights due diligence across diverse contexts.

12. **Mr. Rajesh Kumar Dangeti**, highlighted a critical gap in current practices regarding disclosure and compliance in business operations. While companies often meet disclosure requirements, ensuring the accuracy and adherence to these disclosures remains a significant challenge. He emphasized the role of overseers in scrutinizing and verifying these disclosures to guarantee their correctness moving forward. Furthermore, Mr. Dangeti pointed out that while legislations such as the Protection of Human Rights Act, Rights of Persons with Disabilities Act, and the Transgender Persons Act provide essential

frameworks and rights protections, there is a recognized need for more effective enforcement and broader societal awareness to comprehensively address these gaps.



**Mr. Rajesh Kumar Dangeti, Chief General Manger, SEBI highlighted a critical gap in current practices.**

13. **Mr. Deepak Bagla**, addressed the complexity of Human Rights Due Diligence (HRDD) during the discussion. He emphasized that HRDD is essential not only for Micro, Small, and Medium Enterprises (MSMEs) but also for large corporations. Mr. Bagla advocated for developing a clear roadmap that outlines areas for improvement in HRDD processes. He also highlighted the need to simplify HRDD frameworks to make them more accessible and manageable for businesses of all sizes.

14. **Dr. S. Linga Murthy**, highlighted the challenges faced by immigrant workers and emphasized the difficulties they encounter, leaving them vulnerable to abuse and exploitation. Dr. Murthy called on the NHRC to address these issues and stressed the need for protection and advocacy for these workers.

15. **Ms. Bharti Birla** emphasized the need to address gaps in legislation that currently do not cover informal workers. She highlighted the importance of extending the applicability of labor rights legislation to all workers, including those in informal sectors. Ms. Birla also underscored the necessity of strengthening mechanisms for implementing and enforcing labor rights.



**Ms. Bharti Birla, Enterprise Development Specialist, ILO highlighting the gaps in legislation**

16. **Mr. Pradeep Narayanan** highlighted good practices during the meeting particularly emphasizing the Business Responsibility and Sustainability Reporting (BRSR) framework as a significant step towards promoting human rights. He stressed the importance of collaboration globally to develop robust frameworks that integrate human rights considerations into business operations effectively.

17. **Ms. Uma S Seth** presented on evolving best practices in CSR, diversity, and inclusion during the session. She underscored encouraging developments stemming from broad adherence to CSR norms across diverse industry sectors.

18. **Ms. Isabelle Tschan** stressed the importance of adopting a multi-stakeholder approach to enhance labor rights and responsible business. She highlighted the need for the state to establish robust policy and legislative frameworks for labor rights, while urging businesses to prioritize human rights and sustainable practices. Ms. Tschan stressed the importance of implementing human rights due diligence across value chains and establishing effective mechanisms for remedying human rights violations. She also underscored the role of National Human Rights Institutions (NHRIs) in ensuring compliance with human rights due diligence.



**Ms. Isabelle Tschan, Deputy Resident Representative, UNDP**

19. **Mr. Rajinder Kumar** highlighted several critical points during the meeting. He emphasized the necessity of establishing clear policies, processes, and Standard Operating Procedures (SOPs) for addressing human rights issues comprehensively. Mr. Kumar proposed the formation of either a separate committee of the board or empowering the HR committee to specifically review human rights concerns. He stressed the importance of providing training and education to workers regarding their rights. Additionally, Mr. Kumar emphasized the significance of fostering collaboration within the private sector to collectively address human rights issues and concerns.



**Mr. Rajinder Kumar, Co-Chairperson, ASSOCHAM, highlighting points during the meeting**

20. **Dr. Vidya Tikoo** too emphasized the need for creating awareness about human rights among workers as well as stakeholders, guidelines for specific sectors. She further highlighted the role of digitalization in facilitating easy access of data, information and reports.



21. **Mr. Milind Kamble** stressed the necessity of developing distinct models tailored to small, medium, and large industries, as well as the informal sector, in order to safeguard human rights effectively. He advocated for engaging experts and adopting a bottom-up approach. Additionally, he underscored the importance of sensitizing stakeholders, particularly informal workers, given their significant presence in the economy.

22. **Mr. Inderdeep Singh Dhariwal** pointed the importance of human rights in all spheres of life and how businesses can impact human rights and thus needs attention.

23. The meeting ended with a formal vote of thanks proposed by Lt. Col. Virender Singh, Director, NHRC.

## **List of participants**

### **National Human Rights Commission**

- 1.) Smt. Vijaya Bharathi Sayani, Hon'ble Acting Chairperson
- 2.) Shri Bharat Lal, Secretary General
- 3.) Shri Ajay Bhatnagar, Director General (Investigation)
- 4.) Shri Joginder Singh, Registrar (Law),
- 5.) Shri Devendra Kumar Nim, Joint Secretary
- 6.) Ms. Anita Sinha, Joint Secretary
- 7.) Lt. Col. Virender Singh, Director, NHRC.
- 8.) Dr. (Ms.) Rajul Raikwar, Consultant (Research)
- 9.) Ms. Purna Hasija, Junior Research Consultant

### **Core Group Members**

10. Dr. Viraf M Mehta, Adjunct Faculty , Indian Institute of Corporate Affairs (IICA).
11. Dr. Vasanthi Srinivasan, Professor, Organizational Behaviour (OB) & Human Resources Management (HRM), Indian Institute of Management, Bangalore.
12. Dr. Vidya Tikoo, Senior Vice President, Aditya Birla Management Corporation Pvt. Ltd, Mumbai.
13. Shri Tom Thomas, Chief Executive Officer, Praxis Institute for Participatory Practices Chennai.
14. Shri Pradeep Narayanan, Director, Partners in Change, New Delhi.
15. Dr. Garima Dadhich, Associate Professor & Head, National Foundation for Corporate Social Responsibility, Indian Institute of Corporate Affairs (IICA)

### **Ex-officio Members**

16. Mr. Inderdeep Singh Dhariwal, Joint Secretary, Ministry of Corporate Affairs (MCA), New-Delhi.
17. Ms. Kranti E Khobragade, Deputy Secretary, Department of Public Enterprises (DPE), New Delhi.
18. Mr. Rajesh Kumar Dangeti, Chief General Manager, Securities & Exchange Board of India (SEBI).
19. Dr. Jatinder Singh, Assistant Secretary General, PHD-CCI, PHD Chamber of Commerce and Industry, New Delhi.
20. Ms. Uma S Seth, Senior Director and Head, Corporate Social Responsibility, Diversity and inclusion, Federation of Indian Chambers of Commerce and Industry (FICCI ).
21. Mr. Rajinder Kumar, Co-Chairperson, ASSOCHAM, New Delhi, National Council for Legal Affairs and Regulatory Reforms.

22. Ms Neha Kaul, *Associate Counsellor*, CII-ITC Centre of Excellence for Sustainable Development.

### **Representation from International Organizations**

23. Ms. Isabelle Tschan, Resident Representative, United Nations Development Programme (UNDP), New Delhi.

24. Ms. Nusrat Khan, Business and Human Rights National Specialist, UNDP

25. Ms Bharti Birla, Enterprise Development Specialist, ILO

### **Special Invitees**

26. Mr. Deepak Bagla, Former CEO, Invest India, New Delhi.

27. Mr. Milind Kamble, Founder Chairman, Dalit Indian Chamber of Commerce & Industry (DICCI).

28. Dr. S. Linga Murthy, Associate Professor, Central University of Karnataka.

29. Ms. Chayaa Nanjappa, Founder and Managing Partner of Nectar Fresh.