

2018

Making Growth Inclusive

Analysing Inclusive Policies, Disclosures and Mechanisms of
Top 100 Companies

Disclosure Matters Series: Part V
February 2018

Disclosure Matters Series

Disclosure by business lies at the core of successful realisation of the National Voluntary Guidelines. In the context of corporations, disclosure is seen as a tool for protecting (i) investors and shareholders by helping them take better capital allocation decisions, (ii) the economy because these better decisions help lower firms' cost of capital and (iii) democracy overall because it reduces conflict of interest in all forms. Corporate Responsibility Watch (CRW) has taken lead in analysing Business Responsibility Reports and other disclosure made by companies through the Disclosure Matters series. Corporate Responsibility Watch is a voluntary network of organisations and prominent independent consultants that has come together to analyse and watch the corporate environment in India from a civil society perspective. More details at www.corporatewatch.in

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Preface

India jumped 30 places to break into the top 100 for the first time in the World Bank's Ease of Doing Business Report, 2018. The government did not miss the opportunity to laud its reforms on a wide range of indicators¹. Recently, the International Monetary Fund predicted that India would be the fastest growing economy in 2018 and 2019. At the same time, the global CEO pay-average income ratio as of December 2017 is second highest in India, at 229:1². The income share of India's top 10 per cent was approximately 56 per cent of the national income according to the World Inequality Report 2018³.

The stark inequity in the distribution of the enormous wealth is accompanied by worrying forecasts of increasing unemployment and large-scale layoffs, especially in the Information Technology sector. This contradictory scenario, more than anything, raises the question of corporate responsibility.

In any democracy, public access to information is essential. However, in the absence of clear channels of communications from the government on most issues such as the implementation of the Goods and Services Tax or the state of public sector banks in the face of emerging scams, the importance of proactive corporate disclosure can hardly be overstated.

National and international initiatives such as the mandatory disclosures for top 500 companies on the Bombay Stock Exchange under the Ministry of Corporate Affairs' Business Responsibility Reporting framework has set the process of non-financial disclosures on a firm footing. For the country to stay the growth path and find better ways of redistribution of wealth, businesses and the state need to engage with the civil society and the community to replace the language of profit with the grammar of inclusive growth.

The India Responsible Business Index (IRBI) has been gaining a lot of currency in this collective quest to explore ways of correcting India's growth story. The Index was originally conceived through a collaborative partnership between Corporate Responsibility Watch (CRW), Oxfam India, Change Alliance, Praxis Institute for Participatory Practices (Praxis) and Partners in Change (PiC).

The IRBI analyses the disclosures by top listed companies on five parameters of social inclusion - non-discrimination in the workplace, respecting employee dignity and human rights, community development, inclusiveness supply chain and community as business stakeholders. It serves to shift the focus from the 2% mandatory spending on corporate social responsibility to the commitment to 'people' mantra cited by the National Voluntary Guidelines on Social Environmental and Economic Responsibilities of Business, 2011.

After 3 years of IRBI analysis, we see very little perceptible change. Banks are still not reporting on supply chain and community as a stakeholder is still not in the DNA of companies. It is also disappointing to note that higher disclosure are only in areas that are legally mandated, defeating the spirit of voluntary disclosure. Unfortunately, there is seemingly little effort from Businesses, the Ministry, SEBI or the government to make a difference.

In a rapidly decreasing public confidence in corporates and CSR and Vigilance awards, it is important that NVGs, BRRs and an index like IRBI are given its due. It is critical to have companies that care to stand up and subscribe to the letter and spirit of these instruments and make businesses more responsible.

Moving forward, we plan to make data available online for custom analyses and inferences by business and CSOs. This is an important parallel measure to ensure that its reach is wider and accessible to all constituencies that can lend their weight to the cause of responsible business.

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¹ <http://mofapp.nic.in:8080/economicssurvey/>

² <https://www.bloomberg.com/news/articles/2017-12-28/ceos-in-u-s-india-earn-the-most-compared-with-average-workers>

³ <http://indianexpress.com/article/india/indias-top-10-earned-more-than-half-of-national-income-in-2014-world-inequality-lab-4983331/>

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The Index was an outcome of a collaborative partnership between Corporate Responsibility Watch (CRW), Oxfam India, Change Alliance, Praxis Institute for Participatory Practices (Praxis) and Partners in Change (PiC).

List of Abbreviations

ASH	Anti-Sexual Harassment
BR	Business Responsibility
BRR	Business Responsibility Report
BSE	Bombay Stock Exchange
CAG	Comptroller Auditor General
CRB	Centre for Responsible Business
CRW	Corporate Responsibility Watch
CSR	Corporate Social Responsibility
CSO	Civil Society Organisations
FPIC	Free, Prior and Informed Consent
IICA	Indian Institute of Corporate Affairs
IHDR	India Human Development Report
IMF	International Monetary Fund
IRBF	India Responsible Business Forum
IRBI	India Responsible Business Index
MCA	Ministry of Corporate Affairs
MNC	Multinational Companies
MSME	Micro, Small and Medium Enterprises
NGO	Non-Government Organisation
NSE	National Stock Exchange
NVG	National Voluntary Guidelines on the Social, Environmental and Economic Responsibilities of Business
PiC	Partners in Change
PSU	Public Sector Undertaking
SDG	Sustainable Development Goals
SEBI	Securities and Exchange Board of India
UN	United Nations

India Responsible Business Index: Basic facts

What is being measured?

The Index measures alignment of policies available in the public domain with the National Voluntary Guidelines and assesses disclosure of systems of related information. It does not measure the compliance or performance of the company. The index focus on the following five elements:

1. Non-discrimination in the workplace
2. Respecting employee dignity and human rights
3. Community development
4. Inclusiveness in supply chain
5. Community as business stakeholders

	IRBI 2015	IRBI 2016	IRBI 2017
Coverage	N = 99 Top 100 companies as per market capitalisation on 31 March 2012 (Of the top 100 listed companies, two Sesa and Sterlite, merged as Vedanta)	N=100 Top 100 companies as per market capitalisation on 31 March 2016	N=99 Top 100 companies as per market capitalisation as on 31 March 2016. (Two companies, Cairn and Vedanta, merged)
Source of Information	<ol style="list-style-type: none"> 1. Business responsibility reports 2. Annual reports 3. Sustainability reports (where applicable) 4. CSR reports 5. Policies of companies available in the public domain (website) 6. Any other relevant documents made available on the website 		
Cut-off date for index data	Information available in the public domain as of 30 September 2015	Information available in the public domain as of 31 October 2016	Information available in the public domain as of 30 November 2017
Index report production process	<ol style="list-style-type: none"> Step 1: Data collection by researchers Step 2: Company wise collated data shared with respective companies Step 3: Feedback if any, incorporated Step 4: Analysis and Indexation 		

1. **Scores:** Each score represented in the report is against a total of 1 and includes the composite value of policy and knowledge scores. Policy scores reflects the existence of publicly disclosed policies on key areas of interest to the Index and related mechanisms. While policy recognition is a focus here, it is not to say that existence of policies reflects companies' performance on those policies. Knowledge scores refers to public disclosure on existence of a system in the company to know and understand 'what is happening' through monitoring, assessment and other systems of information collection and curation; learning and knowledge-making.
2. **Quartiles:** Scores have been mapped into 4 quartiles vis a vis 0-0.25, 0.26-0.50, 0.51-0.75 and 0.76-1.00. the lowest quartile signifies poor performance and highest signifies best performance.
3. **Comparative Analysis:** between IRBI 2016 and IRBI 2017 are presented as quartile based scores. The companies analysed in both IRBI 2016 and IRBI 2017 include the top-100 companies in the respective years.

Key Highlights of IRBI 2017

Non-discrimination in the workplace

- As part of the recruitment and career advancement stages in employment, more than 50 companies have identified women, persons with disabilities, SC and religious minorities as vulnerable groups. While 32 companies indicate sexual minorities, only 18 companies explicitly mention scheduled tribes.
- Irrespective of specific vulnerable identities, 24 companies did not disclose their commitment to non-discrimination as part of their recruitment processes in the public domain.
- The Rights of People with Disabilities Act, 2016 does not seem to have had a significant influence on companies as far as disclosing related policies in the public domain. Only 19 companies have answered in the affirmative to disclosures in this area, one more than that in IRBI 2016.
- While companies enumerate on the number of sexual harassment cases, the anti sexual harassment policy and its facilitative systems find no mention with at least 4 companies.

Respecting employee dignity and human rights

- While majority companies in IRBI 2017 (68 and 52 respectively) recognise association of employees and collective bargaining, only 16 companies disclose systems and mechanisms that showed commitment to it.
- Assessment of workers' rights and labour issues continues to be ignored, with 90 companies not disclosing systems for assessing the same.
- Commitment for minimum and fair wage lies at the core of ensuring the highest level of employee satisfaction and higher level of productivity. Companies, however, refrain from explicitly stating adherence to this principle. In IRBI 2017, only 6 companies actually commit to providing fair living wage.
- Despite strong policy commitment (91 Companies reporting commitment)

on health and safety of employees, 40 companies still need to disclose systems to assess this.

Community development

- In the Community development element, there has been an overall improvement in disclosure, with 4 companies jumping the band to find place in the fourth quartile.
- Marginalisation, in terms of region, as a key parameter for community development projects is found missing, with 81 companies not disclosing identification of backward regions as a key aspect for implementing their CSR projects.
- The number of companies, however, identifying specific marginalised groups for targeted interventions has increased from 81 last year to 86 in IRBI 2017.
- A look at the systems that showcase commitment to community development shows 84 companies fail to assess the needs and aspirations of the community before planning CSR projects.

Inclusiveness in supply chain

- 57 companies, 7 up from last year, demonstrate increasing recognition of priority to local suppliers. However, within this indicator, the number of companies providing system to recognise local suppliers has fallen from 18 to 15.
- Despite the ongoing discussions around child labour in the country and across the world, 34 companies have not disclosed extending their child labour policy to their supply chain and this is a big area of concern. The same trend is witnessed in relation to human rights (from 54 in 2016 to 49 in 2017) and employment policies to supply chain (from 24 in 2016 to 22 in 2017).
- A look at the systems to enumerate reveals only 6 companies, 3 more than last year, have systems to assess the capacity needs of local suppliers, vendors and other stakeholders. Only 4 companies disclosed assessing issues related to workers' rights in the supply chain.

Community as business stakeholders

- 70 companies, 8 up from last year, state acknowledgement of judicious use of local resources, with almost 44 providing for systems for the same.
- In total 54 companies recognised the need for conducting impact assessment while only 9 mentioned public hearing or communication with communities about the impact.
- An overwhelming number of companies, i.e. 95 and 96 respectively, do not recognise responsibility for providing similar or better living conditions and services and access to project affected people and free and prior commitment through discussions for land acquisition and displacement.
- Companies have failed to recognise and create knowledge systems that promote sensitiveness to local concerns, culture and environment. Less than 15% of the companies disclosed commitment to respect local culture.

Overall Analysis

- Companies across sectors scored relatively better in elements related to Community Development and Non-Discrimination in the Workplace than in the remaining three elements – Respecting Employee Dignity and Human Rights, Inclusiveness in Supply Chain and Community as Business Stakeholder.
- Disclosure with regard to Community Development showed a marked improvement with the majority of cohort companies, i.e. 74, in the third quartile in 2017. Most significantly, 6 companies were in the fourth quartile as against 1 in 2016 and 3 in 2015.

- The FMCG sector is leading the way in the Community Development element with an average score of 0.65. Further, while Non Discrimination in employment across various categories is high on the agenda in most sectors, the Pharmaceutical sector lags. Interestingly, in Respecting Employee Dignity and Human Rights element, two sectors i.e. Finance and IT, Telecom, Media and Publishing score the least in comparison to other sectors.
- On the other hand, certain sectors do seem to accord low priority to certain elements. For example, out of the 7 companies who scored 0 in the Supply chain element, 4 are from the Finance sector while 2 are from the Metal and Mining sector. Disparities in scoring are highest in case of the Supply Chain, with certain companies scoring 0 due to non-disclosure and the others scoring in the third quartile.
- In line with the previous rounds of IRBI, PSUs disclose higher levels of commitment on the index elements than their private counterparts. On elements such as Inclusiveness in Supply Chain and Community Development, private companies score marginally higher.
- The overall data, especially when seen alongside the profits of corporate India, continue to reflect a distance between the interests of business and shareholders and those of communities and of workers. There is a need for a push from State, Civil Society, as well from leaders within industries, to bring due focus to the conditions and processes of production, rather than simply treating communities as recipients of business profits

Introduction

Introduction

The Ministry of Corporate Affairs, in July 2011, came out with the ‘**National Voluntary Guidelines on Social, Environmental and Economic Responsibilities of Business**’ (NVG)³, in recognition of the role of businesses in improving the quality of life and the significance and long-lasting impacts they have on people and the planet. The rationale was that businesses, when supported by an appropriate Government policy regime that encourages systematic movement towards responsible thinking, decision-making, would lead to progressive movement towards sustainability and the trajectory of overall growth and development takes a positive turn. The primary objective of these guidelines is to encourage adoption of sustainability reporting and mainstream disclosure on environmental, social and governance metrics. It is based on the premise that what cannot be measured, cannot be changed.

Subsequently, a business responsibility report framework was created to enable reporting against each of the nine NVG principles. The Securities and Exchange Board of India (SEBI) initially made it mandatory for the top 100 companies listed on the Bombay Stock Exchange (BSE) and the National Stock Exchange (NSE)⁴. Subsequently, the mandatory reporting on business responsibility was extended to top 500 companies listed on BSE and NSE in 2016⁵. Effectively, at least 100 listed companies have reported on NVGs for the last five years from FY 2012-13 and currently 500 listed companies are reporting annually. Since the Companies Act, 2013 came into effect, reporting related to mandatory spending of 2% of profits on corporate social responsibility⁶ is also included in the business responsibility reporting framework.

The elaborate structure of non-financial public disclosures by businesses is held to account by several ongoing dialogues in the national and international space. In 2017, the National Human Rights Commission initiated consultations to explore with businesses their role and commitment to human rights in line with India’s ratification of the United Nations Guiding Principles (UNGPs) on Business and Human Rights⁷. The UN Guiding Principles on Business and Human Rights are a set of guidelines for States and companies to prevent, address and remedy human rights abuses committed in business operations. The Indian Institute of Corporate Affairs (IICA), has also initiated an exercise to update the NVG⁸ that is currently under process.

In parallel, India jumped up 30 spaces to rank 100 in the World Bank’s Ease of Business ranking. The Government of India celebrated it as a vindication of its economic reforms.⁹ However, the news is not equally good for everyone. Recent Oxfam report¹⁰ reveals that 82% of the global wealth generated in 2017 went to the richest 1% of the global population, while 3.7 billion people who made up the poorest half of the world saw no increase in their wealth. Economic inequality in India is also very alarming. India’s richest 1% bagged 73% of the wealth created last year while 67 crore Indians, comprising the country’s poorest half, saw their wealth rise by just 1%.¹¹

³ National Voluntary Guidelines on Social, Environmental & Economic Responsibilities of Business - Ministry of Corporate Affairs, Government of India; http://www.mca.gov.in/Ministry/latestnews/National_Voluntary_Guidelines_2011_12jul2011.pdf

⁴ Business Responsibility Reports – SEBI; https://www.sebi.gov.in/sebi_data/attachdocs/1344915990072.pdf

⁵ Listing Obligations and Disclosure Requirements (Amendment) Regulations, 2015 – SEBI; https://www.sebi.gov.in/sebi_data/attachdocs/1450865541906.pdf

⁶ Rules under Sec 135 and Section VII of Companies Act: http://www.mca.gov.in/Ministry/pdf/CompaniesActNotification2_2014.pdf

⁷ http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

⁸ Notice by IICA: <http://iica.in/images/Draft%20Notice%20for%20IICA%20website.pdf>

⁹ <https://thewire.in/213643/world-bank-ease-of-doing-business-india/>

¹⁰ Reward work, not wealth – Oxfam International; <https://www.oxfam.org/en/research/reward-work-not-wealth>

¹¹ <https://www.oxfamindia.org/pressrelease/2093>

Corporations should play their part in building a more human economy:

Snapshot from Reward Work, Not Wealth: Oxfam International

- No dividends if no living wage: Multinational companies can choose to prioritise the well-being of lower paid workers by refraining from rewarding shareholders through dividends or buybacks or paying bonuses to executives and the highly paid until all their employees have received a living wage (calculated using an independent standard), and steps have been taken to ensure they are paying prices that can provide a living income for workers or producers in their key supply chains.
- Representation on boards: Companies should ensure worker representation on boards and remuneration committees and find ways to meaningfully include the voice of other stakeholders, like workers in supply chains and local communities, into decision making processes.
- Support transformational change in supply chains: Companies can prioritise sourcing from more equitably structured enterprises in their supply chains – for example, those that are part- or fully-owned by workers or producers; those that have a governance model that prioritizes a social mission; or those that choose to share some or all of their profits with workers. Initiatives such as Oxfam’s Fair Value Club are helping companies do just this.
- Share profits with the poorest workers: Companies can decide to share a percentage of profits (e.g. 50%) with the lowest wage earners in their supply chains and operations. For example, Cafe Direct⁹³ shares 50% of profits with coffee farmers.
- Support gender equality in the workplace: Commit to the UN Women’s Empowerment Principles⁹⁴ and to the relevant ILO Conventions (C100, C111, C156, C183)⁹⁵ to demonstrate commitment to gender equality; implement a gender policy covering hiring, training, promotion, harassment and grievance reporting; and publish the gender pay gap for all levels of the company, and commit to eliminating these gaps.
- Reduce pay ratios: Publish the company’s pay ratio between CEO and median pay, and commit to reducing this ratio to at least 20:1.
- Support collective bargaining: Publicly commit to meaningful and constructive engagement with independent trade unions on an ongoing basis, and – in partnership with unions themselves – work to remove barriers to women workers participating in unions, especially in leadership positions, and promote other means to enable women workers to raise their voices safely and effectively.

While businesses are becoming richer and making profit at any cost, the contrasting stories of extraordinary wealth accumulation and deep-set, far-reaching poverty provide the perspectives needed to locate the role of business in development.

This current context seems to reiterate the need for disclosure, both financial and non-financial, by companies. To bridge the gap between the information generated by the Business Responsibility Reporting framework and the stated intent of the National Voluntary guidelines, Corporate Responsibility Watch (CRW) and its network

members took up the challenge of unpacking, tracking and monitoring corporate responsibility. Praxis and CRW created a disclosure index to analyse BRRs of the top 100 BSE companies for the year 2012-13 and 2013-14 against the nine principles of the NVGs. Subsequently, India Responsible Business Index (IRBI) was conceived through a collaborative partnership between Corporate Responsibility Watch (CRW), Oxfam India, Change Alliance, Praxis Institute for Participatory Practices (Praxis) and Partners in Change (PiC) in 2015. Praxis, CRW, Oxfam India and PiC collaborated again to develop the second edition in 2016-2017 and this 2017-18

edition. IRBI analyses publicly available policies and disclosures of top 100 companies listed on BSE against NVG principles related to social inclusion (listed below):

Core principle

- Principle 8: Businesses should support inclusive growth and equitable development;

Additional principles

- Principle 2: Product life cycle sustainability;
- Principle 3: Businesses should promote the wellbeing of all employees;
- Principle 4: Businesses should respect the interests of, and be responsive towards all stakeholders, especially those who are disadvantaged, vulnerable and marginalised;
- Principle 5: Businesses should respect and promote human rights

An NVG-based index is designed as a constructive engagement tool to help companies in adopting social inclusion as a means of doing business. Additionally, the insights from the index can offer companies an opportunity to take corrective measures in their policies and operations. It can also help companies, consumers and other stakeholders in making informed choices about a company and its products and services. The India Responsible Business index aims:

- a) To encourage companies to disclose more information. All the NVG principles covered as part of the Index hold the 'community' and the 'wider public' to be important stakeholders. This means that company policies pertaining to these groups should be made available in the public domain;
- b) To encourage companies to make policies on the issues that respect the intent of the NVGs. This index helps in measuring a company's publicly stated commitment to NVG principles and intends to encourage more proactive policy-making;

Now in its third year of assessment, the IRBI hopes to take a stronger role in ensuring business respect and support adhere to human rights across its business and for all its stakeholders especially the marginalised to uphold the spirit of stakeholder participation and play their role in an inclusive growth for the country.

Sample and methodology¹²

While the India Responsible Business Index 2017 is based on self-reported and publicly available disclosures of the top 100 BSE-listed firms by market capitalisation as on 31 March 2016, the total number of companies whose data was studied is 123 (Including companies that were included in the top 100 in Round 1). Two firms of the top 100 merged during the year, bring the total number of firms analysed to 122. The information provided has not been externally validated.

The top 99 listed companies analysed in IRBI 2017 are split across 11 sectors including the following: Finance, Capital Goods, Power and Diversified, Transport, Housing, Metal and Mining, Oil and Natural Gas, FMCG, IT, Pharmaceuticals and Miscellaneous.

Data from annual, business responsibility and corporate social responsibility reports, and any other company policies, published until 30 November 2017, has been used to answer 116 questions.

The firms have been graded on five parameters of social inclusion: Non-discrimination at the workplace, respecting employee dignity and human rights, community development, inclusive supply chain, and community as business stakeholders. The filled-in instruments were sent to the firms for verification by 15 December 2017. Of the 122 firms, 39 companies acknowledged referring to the data while 3 companies responded with comprehensive data feedbacks. A software was used to run the scores and index scores were evolved.

Findings

Element 1

¹² Details in Methodology section of Making Growth Inclusive - III

Element 1: Non-discrimination in the workplace

“Businesses should provide and maintain equal opportunities at the time of recruitment as well as during employment, irrespective of caste, creed, gender, race, religion, disability or sexual orientation”.

Principle 3, National Voluntary Guidelines

The element, Non-discrimination in the Workplace, is defined on the basis of Principle 3 of NVGs. It calls for an inclusive workplace, including women, people with disability, SC/ST, religious and sexual minorities and sees diversity in the workplace as an important outcome of non-discrimination in the workplace. In that sense, it expects businesses to:

- Explicitly mention non-discrimination in its policies related to recruitment, training and career advancement.
- Identify such groups, which are not adequately represented in its workforce, especially at the leadership of level.
- Spell out its commitment to non-discrimination in the public domain, including the steps it has taken to ensure that their mechanisms are inclusive.
- Spell out such provisions, to make its workspace inclusive.
- Disclose its diversity data in the public domain, along with its own method of measuring diversity.

The index strongly believes that the policy relating to non-discrimination should be available not only to its existing employees but also to future employees.

Therefore having these policies in the public domain is absolutely critical. In the absence of this, it is believed that the businesses may not be able to recruit such people, who have faced discrimination based on caste, creed, gender, race, religion, disability or sexual orientation.

While this element sources the principle from NVGs, they are in fact enshrined in Article 16, of the Constitution of India, as a fundamental right of every citizen. For Public Sector Undertakings (PSUs), the notification related to reservation of SCs and STs are applicable. Similarly, PSUs are also governed by the recent law related to Rights of Persons With Disabilities Act, 2016, which lay down provisions for 4 per cent reservation for people with disabilities in government jobs.

Businesses are expected to create their own systems to ensure diversity in its workplace. The index aims to find whether companies use the term “equal opportunities” and “non-discrimination” in terms of recruitment and career advancement, for all employees as well as for its board members. It further tries to understand whether they actually have systems to measure diversity and non-discrimination; and to address complaints if any.

1.1 Committing to Non-Discrimination Policies in the Public domain

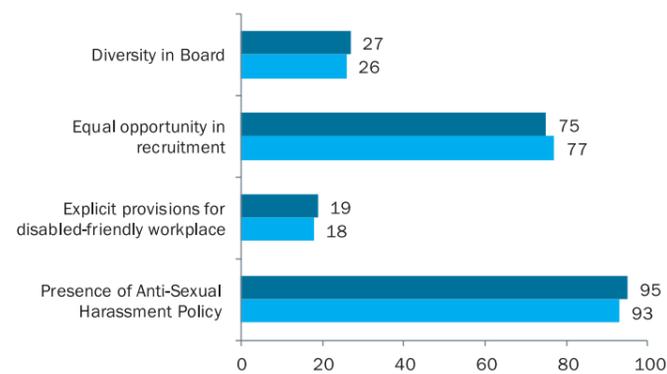


Figure 1.1: Companies disclosing policy commitment to Non-discrimination in the workplace

13 Article 16 of the Indian Constitution enshrines the principle of equality of opportunity in matters of public employment. Article 16(1) & 16(2) have laid down a general rule that there shall be equal opportunity for all citizens and thus emphasizes on universality of Indian Citizenship.

14 The Rights of People with Disabilities Act was passed in Parliament in December 2016.

IRBI 2017 finds that 24 companies did not disclose their commitment to non-discrimination as part of their recruitment processes in the public domain. This is two fewer than in 2016. However, most of the companies that did not disclose their non-discrimination in recruitment policies on their website did mention having shared such policies on their intranet for their existing employees and not in public domain. Irrespective, much fewer, just 50 companies, disclosed details about systems and mechanisms to ensure non-discrimination. Only 27 companies disclosed their policy on board diversity in the public domain.

There are still 4 companies that did not disclose their anti-sexual harassment policy in the public domain. Companies such as Bosch India, BPCL, NMDC and Motherson Sumi have disclosed the number of sexual harassment complaints received but have not disclosed the presence of a policy or an internal complaints committee.

The Rights of People with Disabilities Act, 2016 does not seem to have had a significant influence on companies to disclose its policy on people with disability in the public domain. Only 19 companies have disclosed the same, one more than that in IRBI 2016.

With regard to non-discrimination in recruitment, Dabur in its 2016 business responsibility report stated that, “Nobody shall be discriminated at recruitment, compensation, transfer or promotion,

on the basis of race, colour, gender, religion, political opinion, national extraction, social origin, sexual orientation or age” but no such statement was found in any of their 2017 reports. Similarly, Petronet LNG in its 2016 annual report has stated that they are an equal opportunity employer and do not discriminate based on gender, caste, race, sexual orientation or religion but the same statement is not available in any of the 2017 reports.

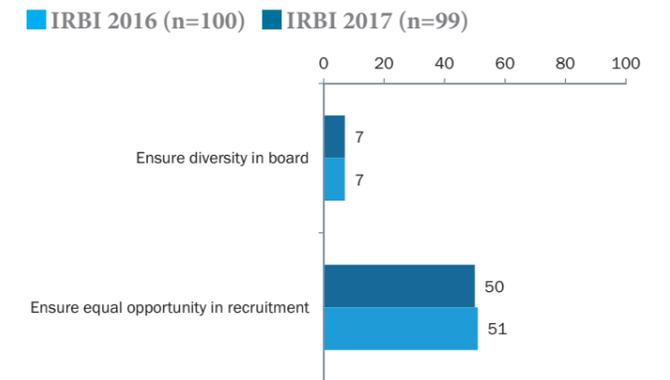


Figure 1.2: Companies disclosing systems for non-discrimination in recruitment and board

Only 7 companies, like last year, actually disclose steps and mechanisms to ensure diversity in the Board (Figure 1.2). One less company than in IRBI 2016 disclosed systems to ensure non-discrimination in recruitment.

1.2 Identifying Groups that are vulnerable to discrimination in workplace

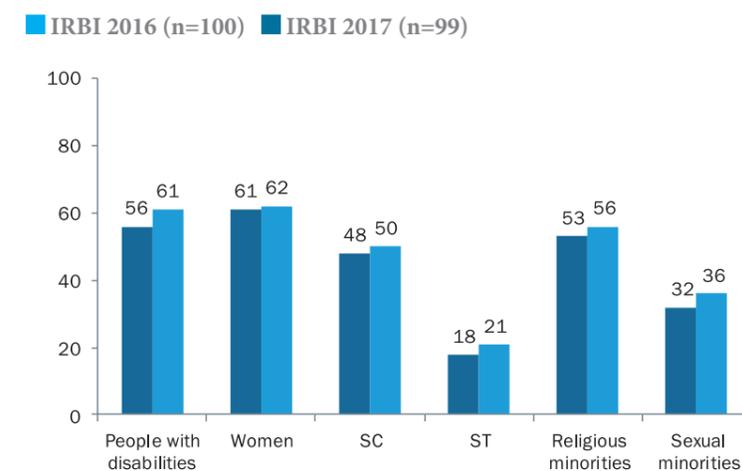


Figure 1.3 Number of companies disclosing on specific groups vulnerable to discrimination during recruitment and career advancement through policies

Companies have been naming groups that are vulnerable to discrimination. More than 50 companies have identified women, persons with disabilities, SC and religious minorities as vulnerable groups. While 32 companies indicate sexual minorities, only 18 companies explicitly mention scheduled tribes. (Figure 1.3) A few companies that had disclosed their commitment on equal opportunity in recruitment in their 2016 sustainability report, have not published their

sustainability report during the period of IRBI 2017 assessment. For instance, IndusInd explicitly mentioned its non-discrimination policy towards recruiting people with disabilities in its sustainability report last year but not this year. Overall, the question about disclosing vulnerable identities at the stage of recruitment and career advancement has seen fewer companies answering in the affirmative this year in comparison with last year.

Elements of diversity	Women		PWD		SC		ST	
	IRBI '16	IRBI '17						
Diversity in Board	100	99	0	0	0	0	0	0
Diversity in Workforce	94	96	73	81	16	15	16	15

Table 1.1 Number of companies that disclosed disaggregated data on social categories in terms of membership of the Board and the workforce

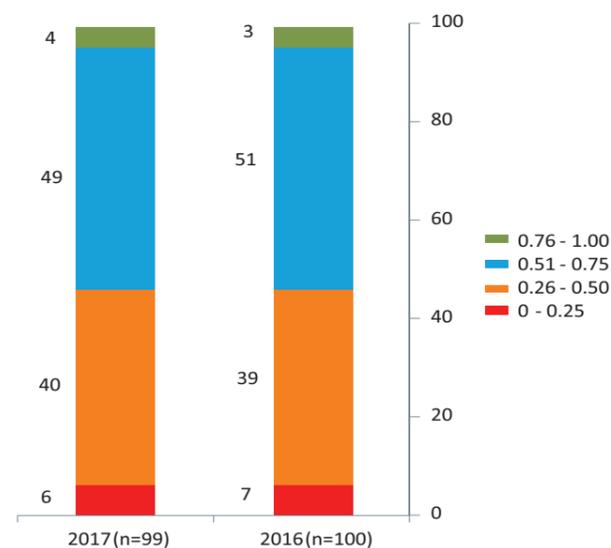
Similarly, 96 companies disclose number of women employees in their workplace and only 15 companies disclose numbers of SC and ST employees. Tata Steel is the only private company that has disclosed that SC, ST communities form more than 16% of its workforce. Bajaj Finance Limited has also disclosed the number of SC/ST employees in the workforce, but only during recruitment. 81 companies have disclosed the number of People with Disability in their workplaces. All companies across both years disclosed the number of women board members, but have not disclosed diversity in other categories.

in the lowest band of 0 to 0.25 and the movement of one additional company into the topmost band of 0.76 to 1 making it 4. While the 0.26 to 0.50 band has seen an increase of one company from 39 last year, the third band of 0.51 to 0.75 score has 49 companies, compared to 51 last year.

1.3 Comparison of distribution across scores in IRBI 2016 and IRBI 2017

The scores are distributed across four bands – 0-0.25, 0.26-0.50, 0.51 – 0.75 and 0.76-1. A comparison of score distribution across these bands for Element 1 on Non-discrimination in the workplace across IRBI 2016 and 2017 shows mixed results. The two distinctly positive changes are one less company (6)

Figure 1.4: Distribution of companies across scores in the indicator for non-discrimination in the workplace



Employee well-being at the workplace and promoting non-exclusion eco-systems in business spaces

Discrimination is a way of life in India. We imbibe prejudices by birth through the centuries of caste practices, religious and regional ethnicity basis that have existed as a way of life in our culture for centuries. Under the Constitution of India, Baba Sahib Ambedkar and our forefathers codified the guiding principles that would legislate protection of vulnerable groups.

Legally speaking there are no specific laws that would oblige a business space to provide for a discrimination free working environment for its employees. However, vulnerable groups get their protection under the Prevention of the Atrocities Act (POA), 2017. This ensures protection of persons from SC/ ST communities against any form of discrimination including at the workplace.

What emerges from the legal provisions and compliance is rather unclear. There is no clarity on whether the law is being followed and protection being ensured. Even the implementing state agencies have not been able to create the mandatory block, district and state level structures and establish the required infrastructure and protocol of LCCs (local complaint committees) mandatory for small businesses, shops and establishments with less than 10 employees and the unorganised sector industry (including domestic workers and students) for protection of women coming in contact with the businesses. Due to the POA Act businesses often refrain from employing persons from SC/ ST communities, to avoid adhering and complying to mandatory legal provisions.

Furthermore, the rising crime rate against women and vulnerable groups, despite a law under Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, constituted in 2013 is disturbing. The statistics released by National Crime Records Bureau 2017 show a 2.9 per cent uptrend in crimes against women; a total of 3,38,954 case of crimes against women have been registered in 2016. The numbers of cases of crime against SC and STs have also been on the rise. SEBI, the regulatory body for corporates has reported a 12 per cent increase in Prevention of Sexual Harassment (POSH) related cases in their 2017 report. A far more disturbing trend is the analysis of the indicator of “proximity of offenders to victims” where the figure of nearly 35 per cent attempts of women abuse have been reported from work places or related business spaces. This rising trend in work space related cases reflects the discriminatory and exploitative mind-set that exists against women.

Non-discrimination as a business practice has a special relevance in the context that discrimination is incompatible with human dignity, equality, human rights and justice in particular. *Business and business spaces have to be non-discriminatory, non – exclusionary and multi – cultural spaces –encouraging employment practice that promote diversity in the work space.*

The state has to ensure 100 per cent compliance to statutory laws of diversity. It is also obliged to monitor and regulate the safety provisions and norms and fulfilment of administrative structures. It is expected that the state pays attention and makes investments in creating awareness of stakeholders on laws and its provisions.

Karandeep Bhagat, Centre for Social Equity and Inclusion

Findings

Element 2

Element 2: Respecting Employee Dignity and Human Rights

“Businesses should promote the well being of all employees, including those in the supply chain”

Principle 3, National Voluntary Guidelines

“Businesses should respect and promote human rights”

Principle 5, National Voluntary Guidelines

Drawing from NVGs, the Index expects businesses to recognise and disclose their policies related to:

- Freedom of association, the ability to organise and join unions in order to develop the bargaining power to protect their interests and participate in key decisions affecting their lives.
- Fair living wages, safe, healthy and harassment-free workplaces and prohibition of forced and child labour be brought into the public domain, so as to provide job applicants, the opportunity to make an informed choice.
- Systems to evaluate workers’ rights, labour issues and safety training to help the companies take corrective measures.

While the Index draws from the NVGs, the principles by themselves are already mentioned in the Constitution of India in Part III related to Fundamental Rights and Part IV related to Directive Principle of the State Policy. Article 16(1) and 16(2) have laid down a general rule that there shall be equal opportunity for all citizens and thus emphasises on universality of Indian Citizenship. Similarly, the Supreme Court of India has interpreted¹⁵ that although the principle of ‘equal pay for equal work’ is not expressly declared by our Constitution to be a fundamental right, it is certainly a constitutional goal under Articles 14, 16¹⁶

and 39 (c)¹⁷ of the Constitution. Article 41 of the Directive Principles of State Policy provide for right to work, education and public assistance in certain cases such as unemployment, old age, sickness and disability. Article 42 stands for providing just and humane conditions of work and maternity relief. Article 43 deals with living wage for workers and Article 43-A intends to secure workers’ participation in management of industries. More recently, the Supreme Court has also ruled that contract workers are eligible for pay on par with permanent workers and stated that denial of the principle of equal pay for equal work is a violation of human dignity¹⁸.

The first month of 2018 itself has brought to light several newspaper reports highlighting human rights violations by companies. From the wage issue to lack of facilities, to layoffs to accidents leading to deaths¹⁹, the issues plague companies big and small and across sectors. While a blast at NTPC’s Unchahar unit claimed 42 lives (see box below), Bajaj Auto²⁰ and Volkswagen²¹ had to deal with hunger strikes by staff agitating on various issues. At a time like this, it is heartening to note that India’s first trade union for IT workers was formed in Pune amid predictions of close to 50,000 layoffs in the private telecom sector across the country in 2018. Given the current context, companies need to do much more to reassert employee dignity and their adherence to protect and respect human rights.

¹⁵ AIR 1997 SC 3014, Randhir Singh v. Union of India

¹⁶ Article 16 of Indian Constitution talks about Equality of opportunity in matters of public employment. Article 16(1) & 16(2) have laid down a general rule that there shall be equal opportunity for all citizens and thus emphasizes on universality of Indian Citizenship.

¹⁷ Article 39(c) in The Constitution Of India 1949(c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment;

¹⁸ <http://www.thehindu.com/opinion/op-ed/On-parallel-tracks/article16090950.ece>

¹⁹ While 17 people died in an explosion in a fireworks factory in Delhi’s Bawana area, four people were killed in a chemical factory in Vadodara: <https://www.hindustantimes.com/delhi-news/9-feared-dead-as-fire-breaks-out-at-plastic-factory-in-delhi-s-bawana/story-DoTMLG7PKZaBQyIPaUra0H.html>

²⁰ <http://www.industrial-union.org/hunger-strike-at-volkswagen-plant-in-india>

²¹ <https://www.workers-iran.org/hunger-strike-at-volkswagen-plant-in-india/>

Safety norms and violations

National Thermal Power Corporation (NTPC) has detailed its safety measures in its annual report 2016-17, mentioning a 3-tier structure for Occupational Health and Safety management, discussions in the highest forum of management as well as internal and external safety audits. However, a recent NTPC boiler explosion in Unchahar, Uttar Pradesh, speaks otherwise. The accident, reports* say the explosion was caused by safety norm violations. The boilers in all units are designed to provide warnings as soon as dangerous pressure builds up and trigger automatic safety devices at a critical point. However, a “tearing hurry” to commission the unit led to the explosion.

*<http://indianexpress.com/article/india/safety-norms-violation-led-to-ntpc-unchahar-tragedy-report-4976677/>

2.1 Policy Recognition and Disclosure

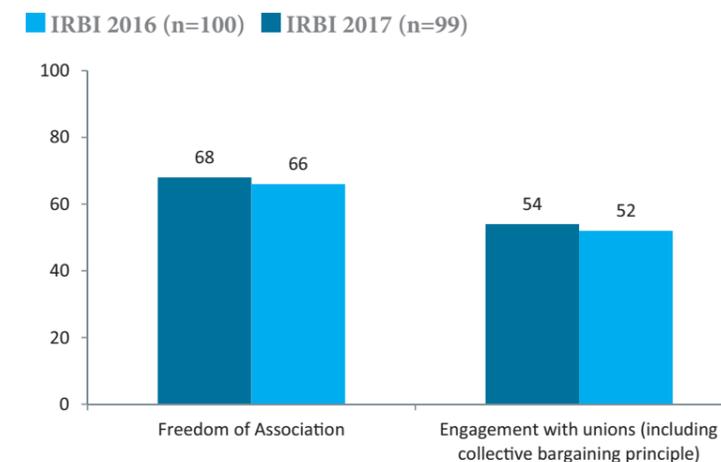


Figure 2.1: Disclosure related to key aspects recognised by companies in the area of freedom of association and engagement with unions

Figure 2.1 below presents some of the key aspects of the index within this element. Over the last one-year, there have not been much change in disclosure in this element. 68 companies recognise freedom of association of employees as against 66 in IRBI 2016. 54 companies even recognise the principle of collective bargaining as compared to 52 in IRBI 2016. However, only 16 companies disclosed systems and mechanisms that they commit to with respect to the freedom of association. None of them extend the right to association explicitly to their contractual or temporary employees.

As seen in Figure 2.2, out of 99 companies, only 24 companies, six less than last year, have explicitly stated their commitment to ensuring Minimum Wage and 6 companies have actually committed to providing fair living wage. For example, M/s Emami has claimed, “They ensure timely payment of fair living wages to meet basic needs and economic security of the employees”, whereas M/s Hindustan Unilever Limited claims, “Our objective is to move from ‘Fair Wage’ to ‘Living Wage’ to ensure the highest level of employee satisfaction and higher level of productivity. Over and above the fair wage, we also provide assistance to employees for their higher education, children’s education and housing facilities”.

Figure 2.2: Comparative analysis of levels of comprehensiveness of policies related to minimum wage and fair living wage

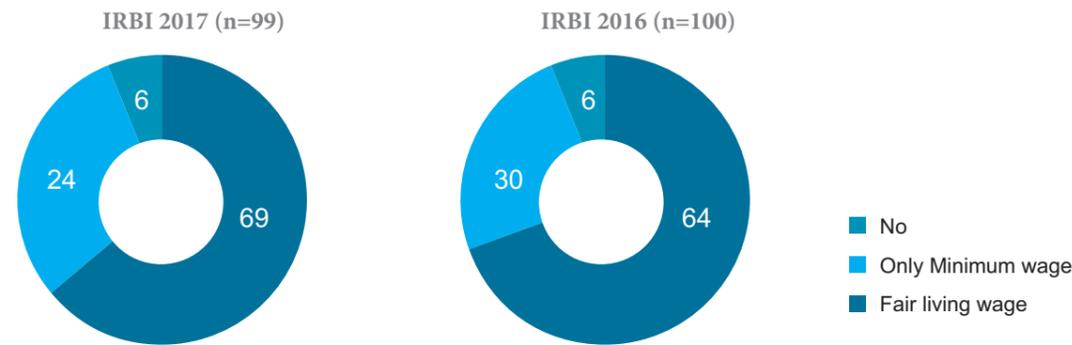


Table 2.1 below highlights the concern raised by the limited disclosures on minimum wage. The gap between CEOs' pay and the average income in India is the second highest in the world.

Global CEO Pay-to-Average Income Ratio				
Rank	Economy	Pay Ratio	CEO Pay, \$ mn	GDP p.c. ppp 2017/16
1.	United States	265	\$ 14.25	53,820
2.	India	229	\$ 1.46	6,372
3.	U.K.	201	\$ 7.95	39,545
4.	South Africa	180	\$ 2.21	12,270
5.	Netherlands	171	\$ 8.24	48,177
6.	Switzerland	152	\$ 8.5	55,952
7.	Canada	149	\$ 6.49	43,469
8.	Spain	143	\$ 4.89	34,245
9.	Germany	136	\$ 6.17	45,341
10.	China	127	\$ 1.87	14,713

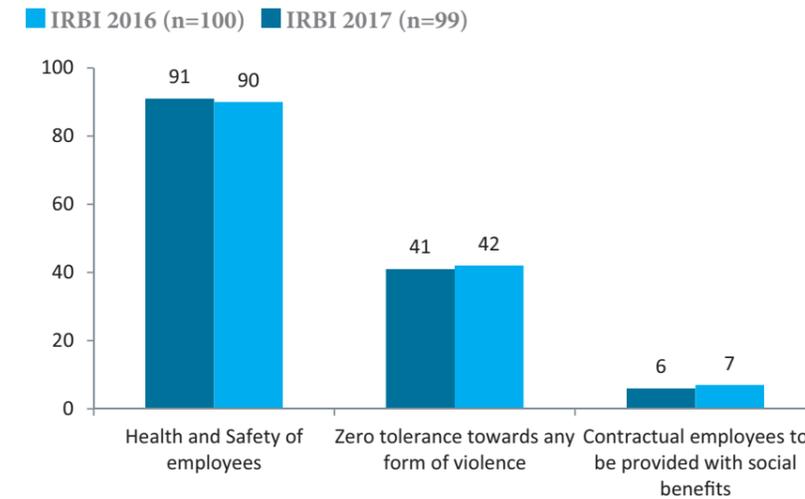
Source: Bloomberg, International Monetary Fund (ref - <https://www.bloomberg.com/news/articles/2017-12-28/ceos-in-u-s-india-earn-the-most-compared-with-average-workers>)
 Note: Reflects companies' most recent disclosures of pay as of December 2017.

Table 2.1: CEO pay to average income ratio among countries across the globe

The crucial gap is evident with respect to the treatment towards contractual employees. In fact, only 6 companies (Refer to Figure 2.3) explicitly state in their policies that the social benefits are extendable to contractual employees. Bajaj Auto, HDFC Finance and BPCL are among 6 companies that have disclosed systems. For example, Bajaj Auto has an exclusive policy document called 'Charter of Fair & Responsible Workplace Guidelines' for Contract Labour. The policy mandates the monitoring and review of these legal/statutory compliances on a quarterly basis through audits by a team of experts to ensure compliance. Similarly, HDFC has been outsourcing housekeeping, security and maintenance activities to contractual staff. Necessary policy guidelines are issued to contractors

to ensure compliance with various policies applicable to HDFC. It has also appointed an external agency to ensure compliance with labour laws and other applicable laws. The company claims, "It is ensured that all employees, whether on the payrolls of the corporation or of third party contractors are paid wages as prescribed under the Minimum Wages Act and are in compliance with social security benefits such as provident fund, ESIC etc. as applicable". Seeing a trend in weakening labour laws and a move from job security to jobs it is crucial to assess the social entitlements offered to contractual employees by companies.

Figure 2.3: Disclosure related key aspects recognised by companies in the area of employee's human rights



With regards to companies' willingness to disclose their efforts with respect to ensuring health and safety of employees, 91 companies disclosed their commitment to this aspect, one more than that of IRBI 2016. In fact, of them, 78 companies detailed out provisions applicable to employees, 6 more than that of IRBI 2016. There is no change in the number of companies disclosing their commitment to zero tolerance towards any form of violence.

Table 2.2 Number of companies disclosing data on safety trainings provided to different categories of employees 2016 (n=100), 2017 (n=99)

	Permanent employees		Permanent women employees		Contractual employees		Employees with disabilities	
	IRBI 2016	IRBI 2017	IRBI 2016	IRBI 2017	IRBI 2016	IRBI 2017	IRBI 2016	IRBI 2017
Safety training provided to employees	69	71	56	57	52	51	37	40

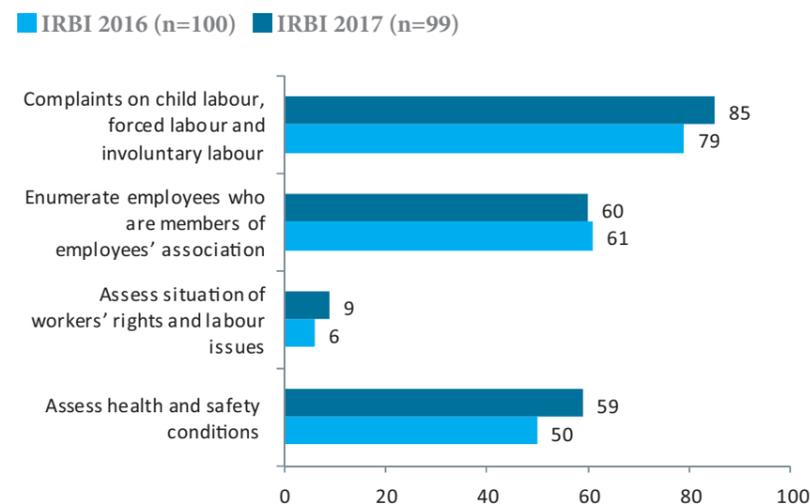
While 71 companies have reported the safety training they have provided for permanent employees during 2016-17, only 51 have provided the same for contractual employees. In fact 30 companies, such as Adani ports, Apollo, DLF and Maruti that have reported having contractual employees, have not stated whether they had provided safety training to their contractual employees too.

Maruti Suzuki has been in news for several accidents in the manufacturing unit²² - a key reason for which is the lack of safety trainings given to the workers. The company has mentioned in its annual report about safety trainings being an integral part of their induction process and periodic safety trainings organised for shop floor workers, but there are no details such as the percentage of workers who are trained or on the areas on which training is imparted to them.

²² <https://newsclick.in/another-accident-auto-parts-manufacturing-unit-manesar-workers-continue-struggle-unionise>

2.2 Knowledge systems

Figure 2.4: Knowledge systems in place to ensure adherence to human rights of employees



As seen in Figure 2.4, companies recognise and have knowledge systems on prevention of child labour, forced and involuntary labour. However, 14 companies have not disclosed against these parameters. Similarly, 60 companies disclosed having systems in place to enumerate employees who are members of employee associations, one less than IRBI 2016. The area of health and safety conditions of workers saw an 18% increase from the 50 companies disclosing systems to assess these. The worst however, is the presence of systems related to the assessment of workers' rights and labour issues in their core operations, with 90 companies not disclosing systems for the same. The situation is however, better than last year, when only 6 companies had reported positively on this question. While there is mention of labour union formation, there is no mention of workers' rights to collective bargaining.

2.3 Comparison of distribution across scores in IRBI 2016 and IRBI 2017

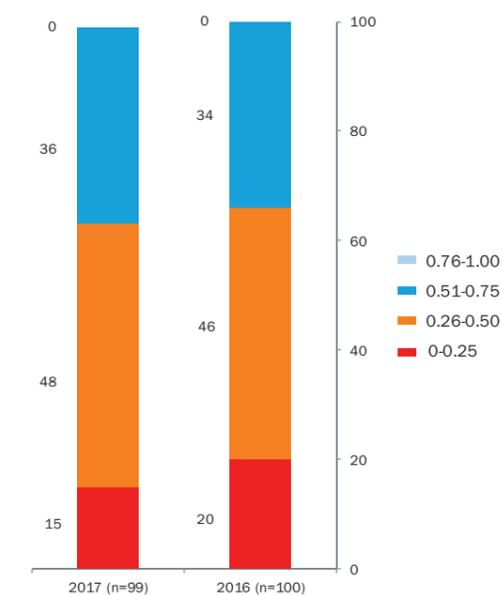


Figure 2.5: Distribution of companies across scores in the indicator for respecting employee dignity and human rights

The movement of companies across scores in the element on employee dignity and human rights is on the positive side. However, like last year, there are no companies that have moved into topmost band of 0.76 to 1. Two additional companies have taken the number in the 0.51 to 0.75 band from 34 last year to 36 this year. However, there are 25% companies less this year in the lowest band, taking the number of companies in it from 20 last year to 15 and increasing the number of companies in the 0.26 to 0.50 band from 46 to 48. It is of significance that 7% more companies are not being transparent about the wage provided to employees. The reluctance of companies to extend social benefits to contract employees is yet another area of concern.

There has been a positive movement of one or two companies across questions, except the one on extension of social benefits to contract workers. Taking the example of the mining and power and oil and gas sectors, it can be seen that big companies, such as Hindalco, Neyveli Lignite, NTPC, NHPC, Tata Steel and Vedanta did not even report the number of contractual employees they hired. They either denied employing contractual employees like in case of NHPC or made vague statements like in

case of NTPC or wrote Not Applicable like in case of Vedanta. The first step towards ensuring dignity and human rights to all employees, starts with the acknowledgement of the different categories of employees and then extending all policies and benefits to them. It seems there is still a long way to go for this change to occur.

In search of Decent, Regular Jobs in India

In 2017 India was ranked amongst the worst countries for Workers by the International Trade Union Confederation (ITUC) due to violence, exclusion that was large scale, arrests and sacking of workers in Special Economic Zones (SEZs) and factories such as Honda, Maruti, etc amongst the key reasons. It is pertinent to note that amongst the eight core ILO conventions India has not ratified the most important conventions of Freedom of association, Minimum Age convention and the Worst forms of child labour, Right to organise and collective bargaining although the freedom to form associations and unions in enshrined in the Constitution of India under basic Freedoms.

Under existing labour laws while there are some Acts that workers can rely on there are technical mechanisms in reality by which they are bypassed and protection denied. This includes The Factories Act, 1948 which protects workers of a factory, and its provisions include health, safety, proper working hours, etc which is not invoked in the outsourcing to supply chains which has become the norm even with large Companies. The Gratuity Act, 1972 which is a retirement benefit paid as gratitude for the services within companies with 10 or more employees who have worked for at least a year has given rise to eleven month contracts. The Employees' Provident Fund and Miscellaneous Provisions Act, 1952 provides social security benefits like pension and insurance cover to the employee of an establishment which has 20 or more employees leading to a plethora of stunted enterprises with less than the stipulated workers shown. The Equal Remuneration Act, 1976 prevents discrimination among workers on the basis of gender and employers cannot discriminate among genders in matters of wages, training, transfer, and promotion. It provides for equal remuneration to both men and women workers for the same work done which is rarely ever implemented. In fact the International Labour Organisation cites that India is amongst the worst places in terms of discrimination against women who receive less than 30% wages as compared to men. The lack of an enabling environment at all levels from creches, mobility, safety, etc for working women to the lack of women directors on Boards of Companies is stark given the absence of will. States such as Gujarat, Maharashtra, Madhya Pradesh and Rajasthan had seen a sharp decline in female job seekers in 2016/17 according to the Director General of Labour Bureau and 40 % of all workers got employment only for part of the year. Contract jobs are the norm today across India even in the public sector.

In this dismal scenario of "jobless growth", with agriculture and handloom (which employed the largest numbers) in crisis, survival at any cost is the most pressing need for workers when supply exceeds demand and there are always people desperate enough to work for the pittance offered. A steady, regular permanent job as a means to overcome poverty, gain access to education and improve their quality of life is still an eternal quest for millions of young people across the country

Amita Joseph, Business and Community Foundation

Findings

Element 3

Element 3: Community Development

“Businesses should support inclusive growth and equitable development”

Principle 8, National Voluntary Guidelines

Element 3 of the index hinges on Principle 8 of the National Voluntary Guidelines, which emphasises the significant role that companies can play in the overall inclusive growth of the country through the development of marginalised communities. The emphasis on Community Development takes the scope beyond communities affected by the core business of companies to include “adopted” communities, who are identified as beneficiaries of corporate social responsibility programmes, and thereby to larger national development.

In 2013, the Companies Act strengthened the vision of inclusive growth drawn up by the NVGs to mandate that “the company spends, in every financial year, at least 2 per cent of the average net profits of the company made during the three immediately preceding financial years, in pursuance of its **Corporate Social Responsibility (CSR) Policy**”. The law extends to companies having minimum net worth of Rs 500 crore or turnover up to Rs 1000 crore or having a net profit of at least Rs 5 crore. Schedule VII of the Companies Act states that a company’s CSR policy has to be approved by its Board and should provide a list of CSR projects or programmes that a company plans to undertake.

Element 3 measures the policy commitment of companies on issues of equitable and inclusive community development. Putting the community at the centre of CSR strategy of each business, the element seeks to measure whether the policy has been evolved through due consultation with key

stakeholders, especially marginalised groups. It also measures whether companies disclosed systems for needs assessment and impact assessment. The element also measures transparency by examining whether there are systems to map distribution of resources across themes and estimate the number of beneficiaries.

India is the first country in the world to enshrine corporate giving, into law. Three years into mandated reporting on CSR expenses, the government and civil society have come up with mechanisms such as the CSR Data Portal²³ to ensure accountability and strict compliance of companies to 2 per cent CSR spending. The industry believes that over time, the outlook of CSR spending has moved from compliance to long-term community development²⁴. But CSR spending over these three years has been criticised for flowing into a limited number of categories²⁵ and reflecting a lack of democratically determined priorities²⁶ as well as being vague, at best, providing a list of domains picked up from Schedule VII of the Act that the company intends to work on²⁷, hinting at the absence of mechanisms for community validation of these selections. There have been allegations of conflicts of interest such as pharmaceutical majors running health camps in the garb of CSR projects²⁸. There have also been cases of companies using public trusts for money-laundering²⁹. CSR awards glossing over detrimental business practices often become means of artificially reinventing brand image³⁰.

²³ Govt to soon provide customised data on corporates; <http://www.livemint.com/Companies/2G2eMn2Lc0tuffcJ8l5RxI/Govt-to-soon-provide-customised-data-on-corporates.html>

²⁴ Chowdhury, Seema; How companies are spending on CSR projects; <http://www.livemint.com/Companies/oyHdaJdn96pnmzdIFUIFNO/How-companies-are-spending-on-CSR-projects.html>

²⁵ Patra, Pradeep; The Companies Act and CSR, CSR in India 2016; Corporate Responsibility Watch, 2016. Patra cites a McKinsey report to point out the skewedness in choice of thematic areas where a bulk of investment flowed to 7-10 sub sectors out of a list of 50 and the contradiction in developed states getting a bulk of investment. http://www.corporatewatch.in/images/CSR_in_India.pdf

²⁶ Karnani, Anil; Why the CSR law is not a success; <http://www.livemint.com/Opinion/1wIQwFPRyRckBMg5IugW1K/Why-the-CSR-law-is-not-a-success.html>

²⁷ Mittal, Subhash; CSR implementation: Who is Watching?; CSR in India, 2016; http://www.corporatewatch.in/images/CSR_in_India.pdf

²⁸ <http://www.bmj.com/content/351/bmj.h6413>

²⁹ <https://blogs.economictimes.indiatimes.com/it-doesnt-add-up/how-indian-companies-are-misusing-public-trusts-to-launder-their-csr-spending/>

³⁰ Sudeep Chakravarti; The business of corporate social responsibility; <http://www.livemint.com/Opinion/1DBHvVEU4m2ZSx8qi8FKCP/The-business-of-corporate-social-responsibility.html>

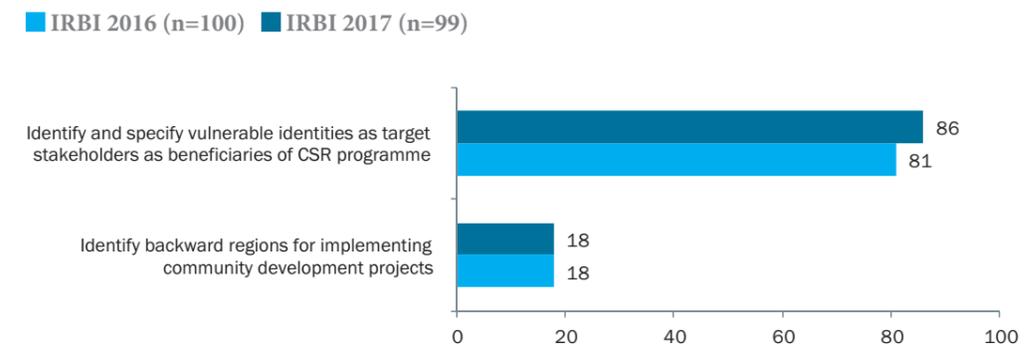
CSR EXPENDITURE 2016-2017*

- There has been a 28% increase in CSR budget from FY 2014-15, while there has been a 47% increase in CSR spending from the same financial year. The jump from last year’s CSR spending, however, has been 8%.
- At Rs 7050 crore, CSR spending is at 98% of the prescribed amount.
- A comparison shows that almost 50% of total CSR spending was on education (32%) and healthcare (17%) and 2% was on gender equality and women’s empowerment.
- One third of 300 companies analysed have spent more than their prescribed CSR budget.
- Education theme received almost one-third of all CSR spent

* NGO Box and India CSR.

3.1. Policy commitments towards addressing marginalisation

Figure 3.1: Recognition of key aspects related to community development



One of the first steps towards addressing marginalisation would be to identify the target stakeholders. However, companies are significantly lacking as seen in Figure 3.1. 81 companies did not disclose recognising identification of backward regions as a key aspect for implementing their CSR projects. There has been no change in this as compared with IRBI 2016. In comparison, 86 companies, five more than last year, recognise identification of vulnerable communities such as women, SC/ST, children, people with disabilities and religious and sexual minorities as target stakeholders while planning their CSR activities.

Only one more company compared to last year, has systems in place to estimate the number of beneficiaries (80) (Figure 3.2). Only two companies have not disclosed systems to determine the distribution of CSR expenses across themes as against 12 companies that answered in the negative last year.

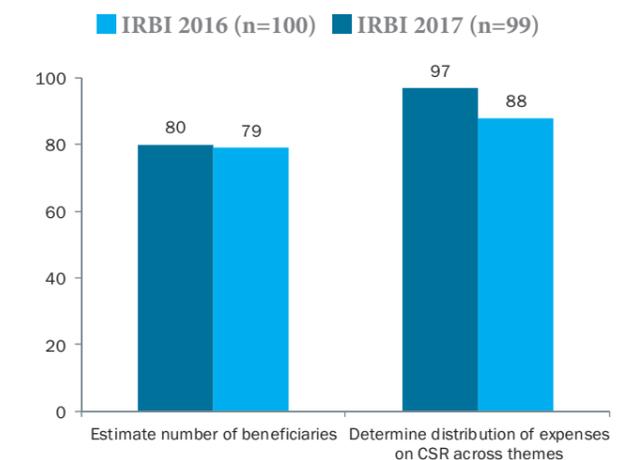
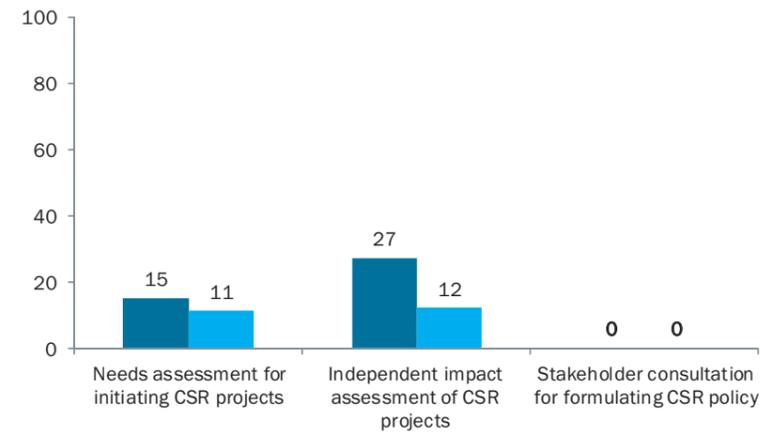


Figure 3.2 Systems in place to ensure transparency in community development

3.2 Business commitment to inclusion and transparency in CSR activities

Figure 3.3 Systems in place to ensure community role in evolving CSR policy

■ IRBI 2016 (n=100) ■ IRBI 2017 (n=99)



There is limited disclosure when it comes to having systems in place for engaging with the community while planning CSR programmes. As seen in Figure 3.3, though only 15 companies have a mechanism for conducting needs assessment before planning a CSR project, there is an increase of four companies compared to last year. However, companies such as Ambuja Cements, which had mentioned carrying out Social Engagement Scorecard (SES) exercise to assess

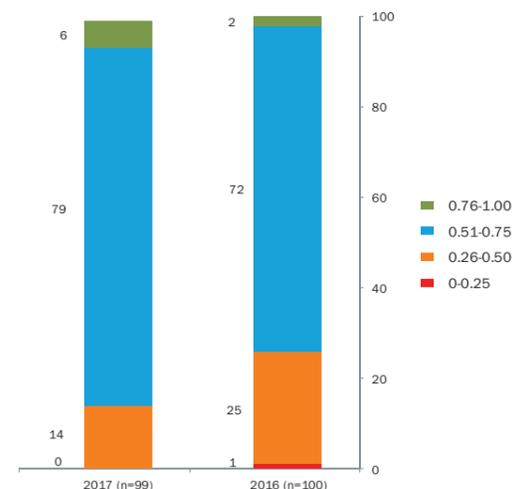
communities' needs in the locations of its CSR interventions in 2015, does not mention anything to the effect this year. In this context, news articles about the practice by pharmaceutical companies such as Abbott, Bayer, GlaxoSmithKline, Roche and Sanofi of getting their representatives to run health camps and a simultaneous increase in sales of specific drugs casts a heavy shadow on the dangers of hiding marketing initiatives in the garb of CSR. Cipla, Cadilla Healthcare and GlaxoSmithKline invest a large sum in the area of healthcare for their CSR activities³¹. 72 companies did not have a system in place for independent impact assessment of CSR projects. Not a single company disclosed having stakeholder consultations while formulating their policy. The community, thus, continues to be a receptacle for charity, rather than a partner in development.

For CSR to make a meaningful contribution to inclusive growth and equitable development, there is an urgent need for companies to re-examine their CSR policies and their commitment to the country. By focusing only on compliance, it will become a lost opportunity for society.

3.3 Comparison of distribution across scores in IRBI 2016 and IRBI 2017

Figure 3.4: Distribution of company scores across bands in the element for Community Development

In the Community development element, there has been an overall improvement in disclosure, which gets reflected in the scores. In comparison to last year, when there was 1 company in the lowest score band of 0 to 0.25, this year, there is no



company this year. Additionally, there is a remarkable 56 per cent reduction of companies in the 0.26 to 0.50 band from 25 in IRBI 2016 to 14 companies this year. These companies have moved across the top two bands, with 7 companies more than last year in the 0.51 to 0.75 band. In the topmost score band, the number of companies has tripled from 2 to 6.

Making CSR funds count

It is now more or less established that growth alone cannot solve the complex development challenges of our country, unless we start looking at issues of inclusion and equity more seriously. The same goes for business responsibility and more particularly CSR.

Issues of widening inequality, lagging development indicators year after year for specific communities, discrimination on the basis of caste, class and gender preventing access to opportunities and the quality of public services are some of the core development issues we are facing today. Rather than addressing these with more funds, we require more thoughtful interventions to bring in innovation, accountability, inclusion and improvement in quality. The educational budget is a case in point. The Central Government allocation for education alone for 2018-19 is nearly 85 thousand crore, several times higher than the total CSR spend. Thus, addition of few more crores through CSR is not going to add any serious value, unless those resources are targeted at specific issues in bringing innovations for better learning, demanding accountability from the public system and addressing issues of inclusion and equity.

The focus on inclusive community development need not be the only objective of CSR. The net impact of primary business operations in the private sector can be far more impactful than any quantum of CSR spend. Recognition and inclusion of backward areas, backward communities as well as development of products and services to address these issues within the ambit of business process can have a far greater impact.

Pradeep Patra, National Foundation for India

³¹ https://www.sciencedaily.com/releases/2015/12/151203081232.htm?utm_medium=cpc&utm_campaign=ScienceDaily_TMD_1&utm_source=TMD

Findings

Element 4

Element 4: Social and Economic Inclusiveness of Supply Chains of Business

“Businesses should respect the interests of, and be responsive towards all stakeholders, especially those who are disadvantaged, vulnerable and marginalised”

Principle 4 of National Voluntary Guidelines

“Businesses should respect and promote human rights”

Principle 5 of National Voluntary Guidelines

The National Voluntary Guidelines do not specifically mention inclusiveness of supply chain, but refer to the principles of human rights and responsiveness towards all stakeholders. In a country where 92% of the workers are in informal employment, responsible management of supply chains is becoming an increasingly relevant business issue.

Internationally, too, there has been increased focus on eradicating forced labour conditions in supply chains. This has a repercussion for Indian businesses. Initiatives and regulations such as the UK Modern Slavery Act, the California Transparency in Supply Chains Act, French Duty of Vigilance Law on supply chain responsibility and an EU Directive on disclosure of non-financial and diversity information all point towards the need for a robust rights-based approach to supply chain transparency.

It is important for a business to recognise and take steps to strengthen its supply chain, by ensuring that universal human rights principles are met and its various needs are addressed. Such an entity goes a long way in enshrining the principles of responsible business practices in the inclusive growth story of India.

4.1 Element 4 of the index focuses on three main aspects:

- Recognition of social and economic inclusiveness in the supply chain as a key

stakeholder for core business practices

- Extension of business’ policies on various aspects such as child labour, human rights, employee well-being and sexual harassment, to supply chains
- Policies and mechanisms to strengthen supply chain through capacity building, as well as through policies aimed at including people from disadvantaged groups in capacity building programmes

Article 23 of the Indian Constitution prohibits and criminalises human trafficking and forced labour. The Parliament passed The Bonded Labour System (Abolition) Act in 1976 and The Child Labour (Prohibition and Regulation) Act in 1986. Unfortunately, neither bonded labour, nor child labour are a thing of the past in India. The 2011 Census reports close to 4.4 million child labourers. Most of them are spread across the supply chain of industries such as agriculture, brick kiln, garments, manufacturing and automobiles among others. Children are often ‘preferred’ for picking cotton as well as doing zari work because of their nimble fingers³² and are employed in illegal mica mines as they can easily slide inside small-scale mines because of their body size³³. As recently as January 2018, 40 children within the age group of 13-18 years were rescued from three factories in Badli industrial area in the national capital region. They had been employed in pressure cooker manufacturing units, slipper factories, wire-making factories and a speaker-making factory.³⁴

Last year, the Global Slavery Index 2016³⁵ ranked

India fourth among 167 countries based on the proportion of population in slavery and especially based on the number of people in bonded labour situations. Though the Intelligence Bureau of India rejected the findings on several counts, the reports observation that forced labour situations existed in the country, was not contested. Lack of adequate hygienic facilities, workplace hazards with no accountability of the companies, lack of clean

drinking water and food, long working hours with no adequate remuneration and lack of access to grievance redressal mechanisms are some of the conditions plaguing the sector.

Violations range from a gross disregard for human rights to ignoring the capacity needs of workers in the supply chain, putting them in hazardous situations.

Blatant denial of responsibility towards workers in auto sector supply chain

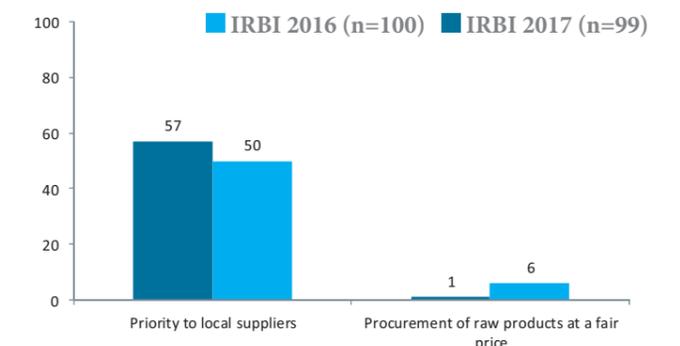
In the past year, we have assisted more than 600 such workers (suffering from injuries incurred during their work in the auto sector in Gurgaon-Manesar), with their health-care, and more than 135 of these with ESIC compensation. 100 per cent of the injured workers who come to us were not working directly in OEM factories (Original Equipment Manufacturers). However, almost all of them were working in the supply-chain of these large local auto-sector OEMs - Maruti, Hero or Honda. These degrees of separation offer large OEM ‘plausibly deniability’ when it comes to responsibility for these injuries. Clearly, as pressure for low cost manufacturing is passed down to sub-contractors, they compromise on safety. Workers are seldom, if at all, trained for the job, or provided reasonable safety gear. They are often given machine-operator roles, after being recruited as lowly paid “helpers”. These factors, along with the inexperience of young workers, result in more than 75 per cent of injuries to workers below the age of 30 years.

Sandeep Sachdeva : Auto-sector supply chain accidents: a case study; Status of Corporate Responsibility in India 2017

Of late, however, the increasing global focus on responsible supply chain has resulted in several measures such as the potential to use satellite imagery to identify bonded labour³⁶ and disrupting electricity supply to errant factories³⁷ or providing training to workers in the supply chain³⁸.

4.2 Commitment of businesses to responsible supply chain

Figure 4.1: Disclosure of companies related to responsible supply chain



As seen in Figure 4.1, disclosure related to recognition of priority to local suppliers has gone up from 50 to 57. However, within this indicator, the number of companies providing systems to recognise local suppliers has fallen from 18 to 15. Disclosure related to recognition of procurement

³² Feasibility Study: Combating Child Trafficking and Bonded Labour in Rajasthan; Partners in Change; 2017, <http://freedomfund.org/wp-content/uploads/Rajasthan-Report-FINAL-EXT-feb-2017.pdf>

³³ <https://www.theguardian.com/global-development/2016/jul/28/vauxhall-bmw-car-firms-linked-child-labour-mica>

³⁴ <http://indianexpress.com/article/cities/delhi/delhi-40-children-rescued-from-factories-in-badli-5046904/>

³⁵ <https://www.globallslaveryindex.org/findings/>

³⁶ <http://www.livemint.com/Politics/If82sU3vL4i2JBRF5RdNK/Satellite-images-could-identify-slave-labour-in-Indian-brick.html>

³⁷ <https://yourstory.com/2018/01/karnataka-government-electricity-children/>

³⁸ <https://retail.economictimes.indiatimes.com/news/industry/walmart-foundation-swasti-health-catalyst-trains-26000-workers-since-2011/62567031>

of raw products at a fair price has gone down from 6 to 1, which sets the companies on a back foot as far as their core business practices are concerned. The only company to disclose on procurement of raw products at a fair price, Nestle, states in its annual report about its plant in Moga, Punjab: "By supplying milk to Nestlé, farmers are benefited from the assurance that our collection centres will purchase their entire quantity of milk, however big or small, as long as it meets Nestlé's stringent quality standards. Furthermore farmers are paid monthly, guaranteeing them a regular income that would not be possible with seasonal crops." However, despite the confidence Nestle has in dairy farmers, the result is not profitable for farmers. Nestle pays farmers at least Rs. 6/litre less than the *mandi* price,

which along with other factors has been pushing the younger generation to move out of dairy farming. Out of the top 100 companies, 26 companies have published Modern Slavery Statements. These companies include ABB, Bank of Baroda, Bosch, Castrol, Colgate, Cummins, GSK Pharma, GSK Healthcare, Glenmark, HCL, Hindustan Unilever, Vedanta, Infosys, Nestle, Oracle, P and G, SBI, Sun Pharma, Siemens, Tata Steel, Tech Mahindra, United Spirits, TCS and Wipro. Godrej commits to prohibition of modern slavery and human trafficking in their sustainable procurement policy. It is of significance that except few instances all these statements are published on companies' global websites and do not explicitly mention about extension of the same to the India based operations.

Figure 4.2: Disclosure of companies on extending human rights policies extending to entire supply chain

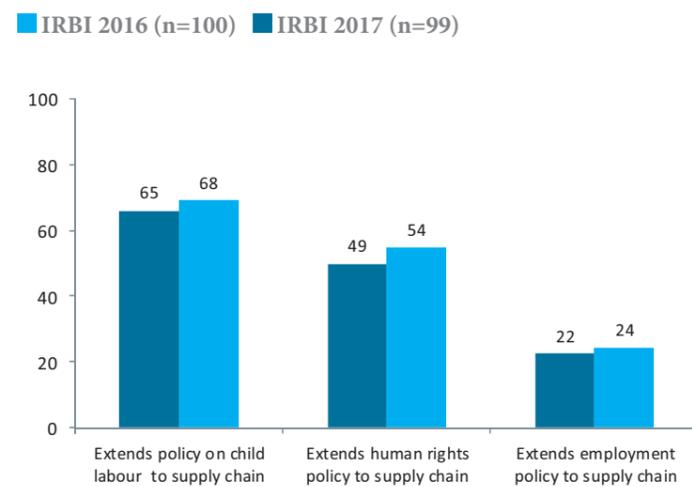
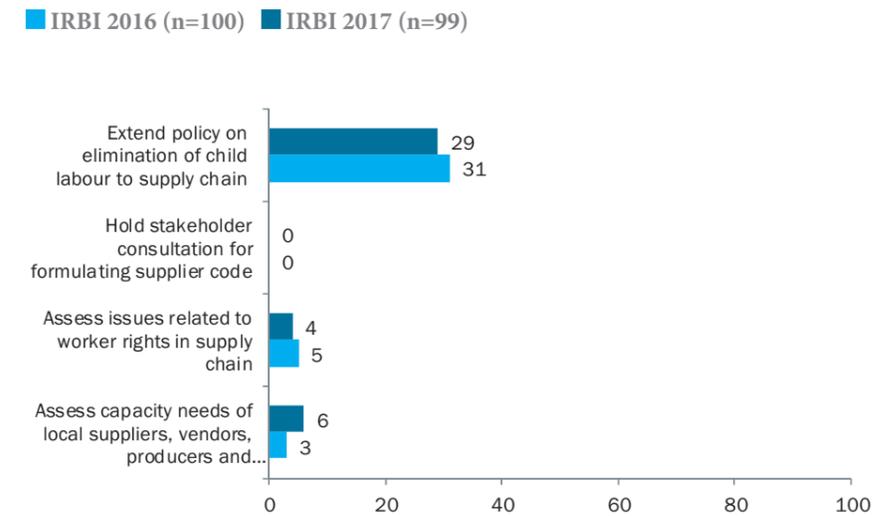


Figure 4.2 depicts how disclosure about extending policies to supply chain is seeing a downward trend this year with companies in all three categories slipping. While three fewer companies than last year disclosed extending child labour to supply chain, six companies less disclosed extending human rights policy to supply chain and two companies less disclosed extending employment policy to supply chain. It is significant that 49 companies still do not extend their human rights policies to their supply chain. It has gone down from 54 last year to 49 this year.

Despite the ongoing discussions around child labour in the country and across the world, 34 companies have not disclosed extending their child labour policy to their supply chain and this is a big area of concern. Adani Ports, for example, prohibits the use of child labour by the group, but does not mention the applicability of the same to its supply chain. In its Annual Report, Maruti Suzuki mentions: "The Company does not have a standalone Human Rights policy. Aspects of human rights such as child labour, occupational safety, non-discrimination are covered by its various Human Resource policies". While there are six policies available on their website, none of these mention an extension of human rights principles to its vast supply chain.

4.3 Commitment of businesses to inclusive supply chain

Figure 4.3: Existence of systems related to strengthening supply chain



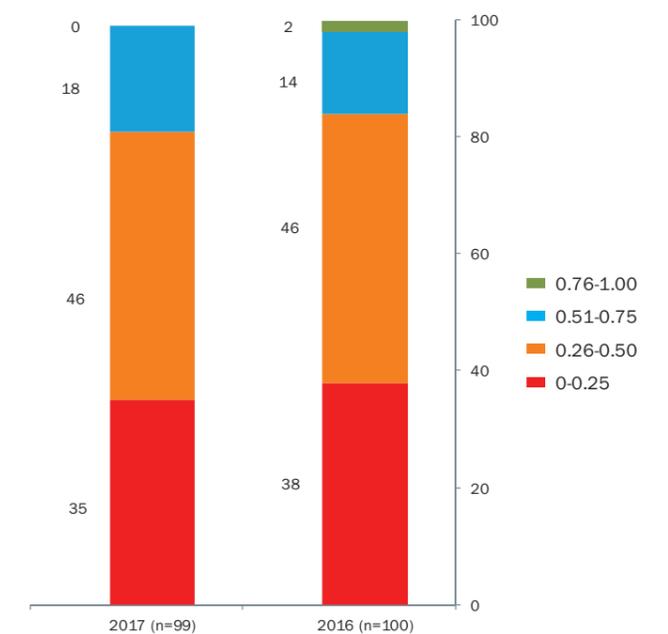
When it comes to having systems that look into the well-being of the supply chain, the situation is dim. As seen in Figure 4.3, only 6 companies, 3 more than last year, have systems to assess the capacity needs of local suppliers, vendors and other stakeholders. ABB, Godrej and Mahindra have joined Bharat Heavy Electricals Limited, Larson & Toubro and Maruti Suzuki by disclosing systems to

assess such capacity needs. Similarly, one company less than last year's 5 assesses issues related to workers rights in the supply chain. Significantly, not a single company disclosed having consulted its stakeholders for formulating a code of conduct for suppliers.

Comparison of scores across IRBI 2016 and IRBI 2017

Figure 4.4: Distribution of company scores across bands on the element of inclusiveness in supply chain

A quick comparison of distribution of companies across the four score bands shows that the number of companies in the top score band of 0.76 to 1.00 has slipped from 2 to none, while there are four more companies in 0.51 to 0.75 score band. It is significant that the number of companies in the lowest score band of 0 to 0.25 has also reduced by 3. The numbers in the next score band is the same as last year. This can be attributed to the fact that across indicators, there are just two questions (priority to local suppliers and assessment of capacity needs of supply chain), where there has been an increase in disclosure. In all other questions, there has been a dip (in five questions) and status quo in two.



Supply Chains are playing a Pivotal-Role

Many business experts acknowledge that the 'low hanging fruits' of India's post liberalisation growth have been exhausted. Driving efficiencies and responsible business practices is the new mantra. Powered by 'Make in India' it is almost obvious that its supply chains will write the next chapter of India's economic growth. However, Indian businesses continue to face numerous challenges for sustainable growth, especially in their supply chains- such as lack of transparency, labour rights abuse, gender inequality, limited inclusion, climate change, water scarcity, poverty, compliance mind-sets and corruption.

As a result of emerging international and national guidelines, there is a growing focus on business accountability. The spotlight is surely on all levels of supply chains. Apart from increased reporting, the costs of ignoring supply chains is massive- losing business and markets to other countries, brand damage, legal action and related remediation. Thankfully, many businesses in India have started engaging with their supply chains. However, India needs an exponential increase in supply chain engagements and a shift in thinking, which is essential to ensure no one is left behind in our growth story.

One impactful solution is to use a rights-based approach, which is the fabric on which CSR, Sustainability and Reporting are 'block printed'. Undertaking a Human Rights Due Diligence is a step that goes beyond traditional audits and creates meaningful dialogue on opportunities and challenges of businesses, most importantly with suppliers and partners.

"In this globalized world, a Company's sustainability is directly proportional to its Supply Chain performance"

Rishi Sher Singh - Independent Supply Chain Sustainability Specialist

Findings Element 5

Element 5: Community as Business Stakeholders

“Businesses should respect the interests of, and be responsive towards all stakeholders, especially those who are disadvantaged, vulnerable and marginalised”

Principle 4, National Voluntary Guidelines

The Element, Community as a Business Stakeholders, finds its very basis in principle 4 of the National Voluntary guidelines. The NVGs have very clearly laid out that community must be seen as a stakeholder in the Company’s business; widening the definition of stakeholders in the context of business and a call for companies to be responsive to the “interests of all stakeholders, especially those who are disadvantaged, vulnerable and marginalised”; “respect and promote human rights” and; “support inclusive growth and equitable development”. It requires companies to proactively acknowledge the community as a part of its core business and encourages them to be responsible for, accountable to, and aware of the community’s needs and aspirations. The Companies Act 2013⁴⁰, also clearly states that the company and its management should act in good faith and in the interest of not only its shareholders and employees but also give significance to the needs and aspirations of the larger community and environment. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (also Land Acquisition Act, 2013)⁴¹, creates a much needed space for communities affected by business operations, as key business stakeholders, thereby empowering them to negotiate directly with private corporations for higher prices and better relocation and recovery conditions.

Element 5, believes that businesses are both accountable and responsible to think and act in the interest of the larger community, apart from its shareholders and engage proactively with communities that are disadvantaged, vulnerable and marginalised, they impact them. Its recognises that businesses should:

- a) Recognise the need for impact assessment on environment and the community as part of both policy and practice.

- b) Recognise the need for Free, Prior and Informed Consent (FPIC) of communities through discussions for land acquisition or displacement.
- c) Spell out its responsibility and disclose data on its Responsibility for provision of similar or better living conditions and services and access to Project Affected People.
- d) Acknowledge the need for judicious use of natural resources, especially those available in the vicinity of its operations
- e) Spell out its commitment to work on issues of local relevance
- f) Spell out its commitment to support economic advancement of local people, through employment and disclose the same, numerically.

5.1 Commitment to community as business stakeholders

Companies have traditionally focused on a narrow group of stakeholders: shareholders, employees, customers and regulators. Today, however with changing business dynamics, companies need to and are found interacting with communities who are affected by their business activities and operations. Such practices are found to have positive implications including improved decision-making, legitimacy and competitiveness – by tapping into local knowledge, reducing conflict and boosting local consumers. Companies can no longer bypass the local needs and aspirations and conduct its operations in isolation. Research demonstrates multiple examples of companies mulling alternatives and rethinking their strategies of engagement with local communities in the face of resistance and agitations.

As Indian and Foreign companies continue to acquire and buy large tracts of lands in the name of projects such as special economic zones (SEZs), national investment and manufacturing zones (NIMZs), industrial corridors, economic corridors, “smart cities”, etc. the government rather than acting as protector of citizen rights is acting on behalf of powerful corporate interests. While on one hand the government promotes such development in name of economic advancement, it is turning a blind eye to how such activities continue to create turmoil and uproots millions of people from their homes and livelihood. Massive infrastructure projects, industrial corridors, mining, captive ports and irrigation and real estate projects involve en mass eviction of the marginalised population. While such brazen violations continue, the basic principles of justice with effective rehabilitation and resettlement provisions are glaringly missing, leading to increased agitations and resistance⁴².

Divis Laboratories is planning to relocate its proposed Kakinada plant, Andhra Pradesh, a Rs 700 crore project, due to land acquisition woes. The project has been hit by ongoing court cases related to land acquisition, as local farmers refuse to part with their land and also claim that the factory will result in air and water pollution⁴³. Similarly NALCO’s Bharatpur coal mine also faced agitation, in January 2018, by local villagers over demand for employment of local youth. Villagers alleged that they resorted to such action as the coal company failed to provide them 468 jobs as promised. The company is currently awaiting the meeting of the Rehabilitation and

Peripheral Development Advisory Committee (RPDAC) to consider the demands⁴⁴.

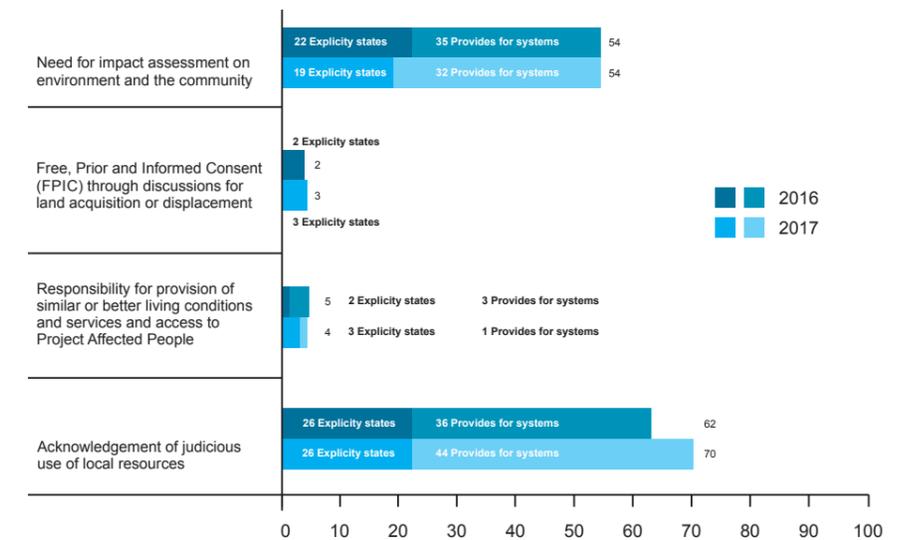
The index recognises these changing dynamics and strongly asserts for the active role of businesses to acknowledge need for local acceptance and consent by working on issues of local relevance. It encourages companies to be aware of realities in its vicinity and proactively engage to address concerns, supported by appropriate disclosure practices.

Comprehensive Policy Commitment by Companies

Assessing Impact of Business Operations

Figure 5.1 enumerates that while the number of companies assessing impact of business operations is increasing, although marginally, they are recognising the need for conducting impact assessment. While very few, i.e. only 3 (Godrej, HUL and Vedanta), recognised the principle of Free, Prior and Informed Consent, none reported having a system to enforce it. Almost 44 companies have reported existence of systems that promote judicious use of natural resources, almost a 22 per cent increase from last year. What is dismal, however, is the lack of commitment from companies to work on locally relevant issues and the lack of responsibility among them to provide similar or better living conditions and services and access to Project Affected People. Majority of the companies, i.e. 90 and 95 respectively did not report a commitment both in policy and practice.

Figure 5.1: Recognition of the need to assess business impact on communities and means to minimise the negative impacts [2016 (n=100), 2017 (n=99)]



⁴⁰ Companies Act 2013, Page 104, Available on <https://mca.gov.in/Ministry/pdf/CompaniesAct2013.pdf>

⁴¹ Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, Available on <http://indiacode.nic.in/acts-in-pdf/302013.pdf>

⁴² Krishnan, Vijoo, (2017), “Against the violence of ‘development’”, Available on <http://www.frontline.in/social-issues/against-the-violence-of-development/article9834760.ece>

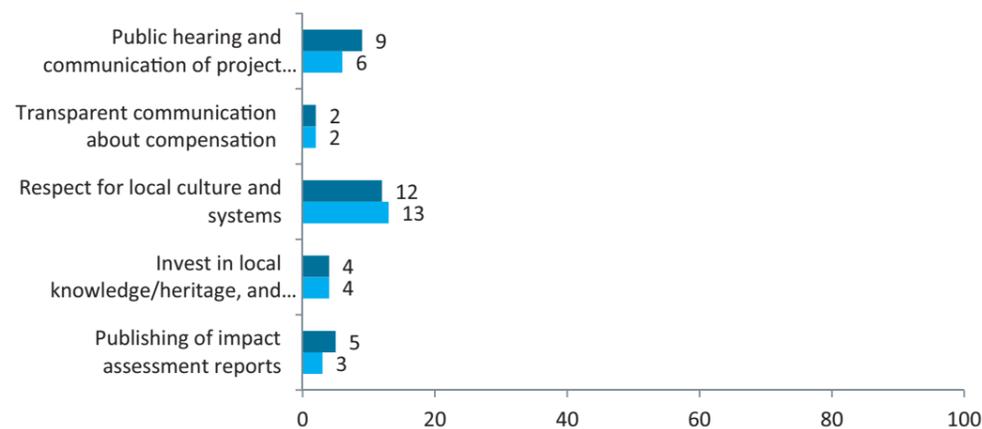
⁴³ Divis Thinking of Relocating Porposed Kakinanda Plant due to Land Acquisition Woes (2018), Available on <http://www.moneycontrol.com/news/business/companies/divis-thinking-of-relocating-proposed-kakinanda-plant-due-to-land-acquisition-woes-2495017.html>

⁴⁴ <http://www.newindianexpress.com/states/odisha/2018/jan/11/nalco-coal-mine-paralysed-by-agitating-villagers-1750522.html>

5.2 Promoting sensitiveness to local concerns, culture and environment

The Figure 5.2 shows the lack of commitment in policy and practice among companies to engage with communities, especially project affected community, including women, marginalised groups, for formulating a policy on Resettlement and Rehabilitation. None of the companies disclosed the presence of systems to seek community participation. Only 13 companies, 1 more than last year, disclosed recognition and respect for local culture and systems. Recognition of Public hearing and communication of project impacts with communities have recorded a downward trend. While 9 companies in 2016 disclosed the same, only 6 disclosed it in this year.

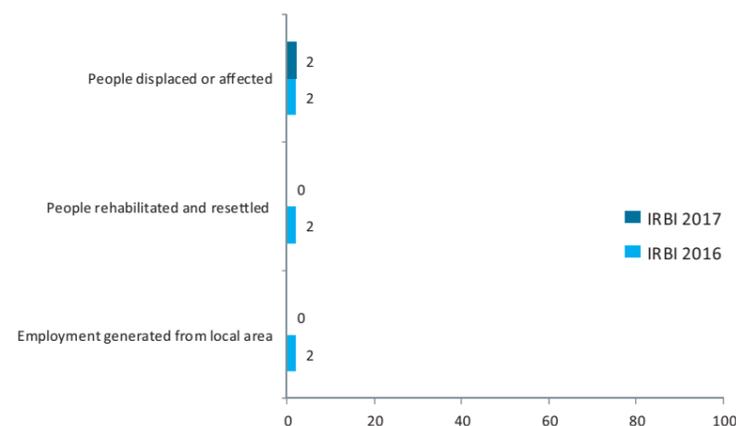
Figure 5.2 Recognition and knowledge systems that promote companies to be sensitive to local concerns, culture and environment; and engage with communities [2016 (n=100), 2017 (n=99)]



Data demonstrates the lack of commitment by companies to engage with communities impacted, while formulating R&R policies. In both the years none of the companies reported engaging the community in this process, thereby projecting a very dismal trend of community engagement.

Disclosure on business impact on local communities

Figure 5.3 Number of companies that disclose data on impacts of their business operations on local communities [2016 (n=100), 2017 (n=99)]



Disclosure by companies on impacts of their business operations on local communities presents a rather dismal picture. In 2016 (GAIL and Tata Steel disclosed number of people rehabilitated and resettled and Infosys and Sun Pharma disclosed the number of employment generated from local area, In 2017 none of the companies reported the same. This indicates a move towards ignoring communities as companies continue expanding their business operations). Coal India, the largest coal producer not only in India but in the world, has an elaborate R&R policy

which clearly states “a school, road with street lights, pucca drains, ponds, dugwells/ tubewells, grazing land for cattle, play grounds, etc will be provided to the displaced communities.”

In practice, however, the situation is far from being ideal as seen below.

As Coal India chased an expansion target of 1.5 billion tonnes per annum, in 2014, entire villages, comprising mainly of Adivasi and Dalit communities disappeared in less than three years. Mandatory employment of local people displaced have not been realised with rapid expansion due to increasing mechanisation and privatisation of labour. In early June 2017 Coal India’s Lingaraj and Bhubaneswari mines were shut for two days due to protest by

villagers over lack of employment opportunities. Its annual report, however, reports no human rights violations, in spite of increasing protests and agitations⁴⁵. Essar Steel offers a classic case of how a company, just to meet the basic legal requirement, offers rehabilitation plans and does not sustain it. In June 2017, Essar Steel plant in Paradip, Odisha, faced huge protests as the company sacked 195, in a phased manner, of the 240 local people, who had lost land to the project and were employed as a part of its resettlement and rehabilitation programme⁴⁶.

Index Score Variation between IRBI 2016 and IRBI 2017

Figure 5.4 Distribution of companies by score quartiles for two years on Element 5 – Community as Business Stakeholder

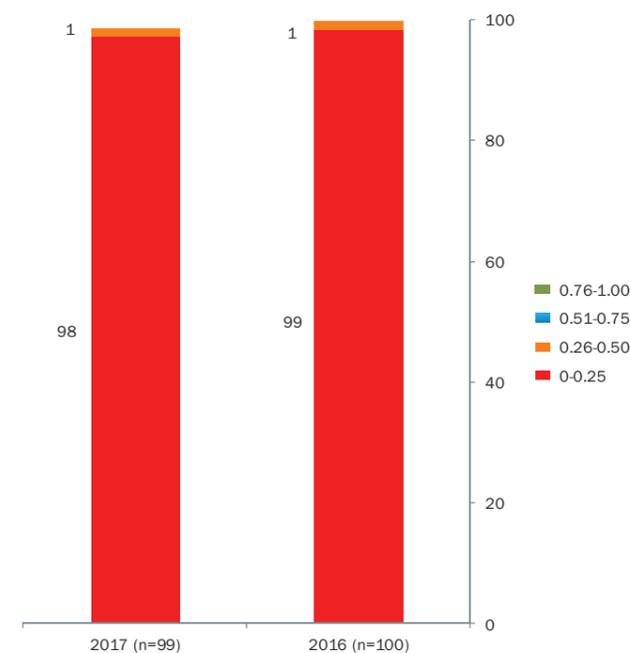


Figure 5.4 enumerates the trend among companies to largely ignore the community and its aspirations, as important aspects of its operations. In both the years, most companies are found to lie in the first band of the index. Also, among the 99 companies analysed in 2017 and 100 in 2016, only 1 company during both the years reached the second band. This showcases a very alarming trend where companies are taking on infrastructure expansion projects on a large scale but failing to take communities along.

The index found that 54 companies stated the need to conduct impact assessments on environment and community of its products and services, with almost 35 companies stating the provision for systems for the same. But only 4 companies go beyond this assessment and assume responsibility to meet the needs of the people impacted by its operations. While 2 companies did disclose the number of people impacted by their operations, none of the companies reported on whether the people were rehabilitated or livelihood opportunities provided.

⁴⁵ Chandrasekhar, Aruna Chandrasekhar (June, 2017), ‘India is moving away from coal, but what is it doing about communities displaced in mining areas?’ Available on Scroll.in <https://scroll.in/article/841698/india-is-moving-away-from-coal-but-what-is-it-doing-about-communities-displaced-in-mining-areas>

⁴⁶ Telegraph (June, 2017), ‘Essar sackings revive protest’, Available on <https://www.telegraphindia.com/states/odisha/essar-sackings-revive-protest-188092>

Community at the Centre of the Development Paradigm

In a country where several inequalities exist, the principle of non-discrimination is critical. Whether it be companies, PSUs, government or non government agencies, structural discrimination has to be addressed. In the context of SDGs of the 2030 Agenda for Sustainable Development, growth is being looked at in all its totality. Business is characterised by an unprecedented, accelerating and complex mix of risks and opportunities. New markets are emerging rapidly due to megatrends such as population growth, resource scarcity or global health risks. Meanwhile, consumers and investors are better informed than ever before – and they want businesses to take responsibility for the pressure our planet and its population are under. Ensuring a robust GDP and dignity of jobs in today's business landscape would realise and fulfil the leave no one behind dictum of the Sustainable Development Goals .

However, though we would like to visualise communities as integrated, this is far from the truth, as there are fissures in community and business relationship and engagement. Lets take for example, the Principle of Free, Prior and Informed Consent (FPIC), despite having been endorsed by the United Nations and other international bodies, it is yet to enter the realm of law in India. Along with community consent, what is necessary is to put in place mechanisms that safeguard and uphold the principle of human rights of the local community to be primary stakeholders, have a say and participate in business activities affecting them. The right to equality and the right to freedom from exploitation are two constitutional imperatives. The need for full consultation, thorough and sensitive understanding, and consent taking becomes even more pronounced in tribal contexts. The reason being that for Adivasis and Dalits, who number disproportionately highly among India's poorest and most disadvantaged, are to survive on equal terms, their worldviews also need to be respected with equal interest.

This raises a very important question: What should be the terms of engagement between corporates and local communities? Clearly, companies cannot shrug off responsibility for the impact of their activities on the community amid whom they are located. Companies owe the community that is being affected, detailed information about their actions. Details like scale of the project, the extent of intended displacement, expected impact of project, the measures taken to mitigate these, compensation, alternative livelihood options, grievance redressal and other related information should be shared and consent sought. To ensure accountability, such information needs to be in the public domain where it can be accessed easily. Companies also need to take cognisance of the fact that the communities are the rightful owners of several of these resources that companies utilise for their profit. Not just the community's consent but also, attempts should be made for the communities affected to be stakeholders in the enterprise. The principle equality and non discrimination should be the core focus of dialogue between the company and the members of the community thereby ensuring some form of equity.

Paul Divakar, National Campaign for Dalit Human Rights

Conclusion

The growing trends of liberalisation, privatisation and globalisation, have triggered demands for increased transparency and accountability from businesses. Corporations are now being evaluated not only on their profit and loss statements, but also on the extent, quality and timeliness of their non-financial disclosures. It is therefore important not only for companies to be socially and environmentally responsible but also to ensure adequate information is available for all their stakeholders, including shareholders, employees, consumers and community. The Indian capital market regulators are also pushing for greater disclosure and transparency by listed companies.

Sectoral Analysis

Sector analysis of the IRBI scores yield interesting insights. In this section, we first delve into the trends related to the scores across some of the prominent sectors as represented in the IRBI sample. The graph below represents the data for only those sectors which have more than 10 companies. The six prominent sectors are Finance (21), FMCG, Textiles and Consumer Durables (15), Metal, Mining, Oil and Petrochemicals (25), Pharmaceuticals (12), IT, Telecom, Media and Publishing (12), Power and Diversified (10).

Figure 7.1 shows that companies across sectors scored relatively better in elements related to Community development and Non-discrimination in the workplace. In fact, in Community development companies had scored well above the half way mark. In Non-discrimination in the workplace the scores are relatively lower than in Community development but are far better than elements related to Employee Dignity and Human Rights, Inclusiveness in Supply Chain and Community as Business Stakeholder.

Overall trends

The above mentioned inferences are corroborated by the distribution of scores for cohort companies (97) for the three years as given below in Table 7.1. The 97 companies covered as part of the analysis for the three rounds have largely shown consistency in scoring across the five elements. Disclosure with regard to Community development showed a marked improvement with the majority of companies, i.e. 74, in the third quartile in 2017 and, most significantly almost, 6 companies in the fourth quartile as against 1 in 2016 and 3 in 2015. In addition to enhancing commitments to Community development, progress is also visible in relation to Non-discrimination in the workplace, at least in terms of the number of companies in the fourth quartile.

Community development and Non-discrimination in the workplace also happen to be the domains wherein legal safeguards are best established. For Non-discrimination, there are well-established constitutional safeguards and the Companies Act 2013 and its mandatory provisions on CSR have prompted extensive policy and implementation level changes across companies in India. Owing to CSR having become mandatory, one can see that there is a high level of disclosure as well as policy commitment. There are a few instances wherein companies have scored lower than previous years though these are largely attributable to failures to make commitments explicit, rather than an absence of any kind of commitment. Given the low levels of disclosure on inclusiveness in supply chains and on community as a business stakeholder, there is a clear need for legislative interventions in these areas. Some developments in the domain of supply chain transparency legislations such as the UK Modern Slavery Act, which mandates issuing of Modern Slavery Statements, and the French Corporate Duty of Vigilance legislation indicate a step in that direction. But there is no sign of a substantive progress on sustainable supply chain legislation in India.

⁴⁷ <https://sustainabledevelopment.un.org/index.php?page=view&type=20000&nr=291&menu=2993>

Figure 7.1: Average scores of six key sector across all five elements along with maximum scores

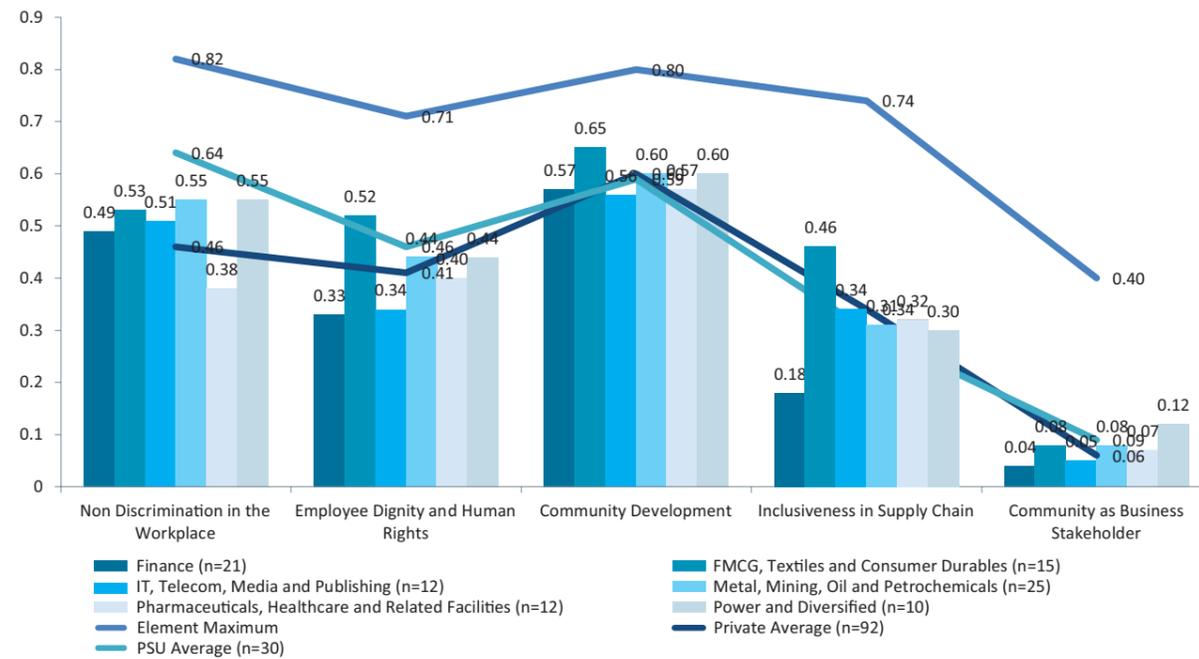


Table 7.1 Distribution of scores for the cohort companies for the last three years (n=97)

Elements	Year	0 to 0.25	0.26 to 0.50	0.51 to 0.75	0.76 to 1
Non-Discrimination	2015	3	41	52	1
	2016	4	28	62	3
	2017	4	35	52	6
Employee Dignity and Human Rights	2015	17	56	23	1
	2016	13	49	35	0
	2017	8	53	36	0
Community Development	2015	6	48	40	3
	2016	1	23	72	1
	2017	1	16	74	6
Supply Chain	2015	32	51	14	0
	2016	28	54	13	2
	2017	32	47	18	0
Community as Business Stakeholder	2015	93	4	0	0
	2016	96	1	0	0
	2017	96	1	0	0

Sectoral Variations

Sectoral variations are also evident in certain elements. The FMCG sector is leading the way in the Community development element with an average score of 0.65. Further, whilst Non discrimination in employment across various categories is high on the agenda in most sectors, the Pharmaceutical sector lags behind somewhat. Interestingly, in the Employee dignity and human rights element two sectors i.e. Finance and IT, Telecom, Media and Publishing are scoring the least as compared to other sectors. A related concern is the high level of contractual

employment in these sectors, The FMCG sector is scoring much higher than other sectors in this element.

On the other hand, certain sectors do seem to accord low priority to certain elements. For example, out of the 7 companies that scored 0 in the Supply chain element, 4 are from the Finance sector while 2 others are from the Metal and Mining sector. Disparities in scoring are highest in case of the inclusiveness in supply chain, with certain companies scoring 0 due to non disclosure and on the others scoring in the third quartile.

Table 7.2: Distribution of top 100 companies across the quartiles for IRBI Round III (n=99)

Element	0-0.25	0.26-0.50	0.51-0.75	0.76-1.00
Non-Discrimination	6	40	49	4
Employee Dignity and Human Rights	15	48	36	0
Community Development	0	14	79	6
Supply Chain	35	46	18	0
Community Business Stakeholder	98	1	0	0

The Finance Sector scores low on the Inclusiveness in supply chain, and the Community as a business stakeholder elements. Some banks report “not applicable” to questions related to aspects of supply chain, although NVG Principle 5 mandates companies to respect human rights across value chain, through the third party principle. The Power and Metal and Mining sectors seem to be scoring relatively better than others in the Community as business stakeholder element. This is because they have in place formal institutions of social and environment impact assessments, which are often seen as more applicable to sectors directly causing displacements of communities, rather than sector like Banking, which finance these projects.

Overall, public disclosures by companies in India still seems to be following a reactive approach: focusing on areas where companies are found to be more frequently violating, rather than developing policies based on a human rights based approach that takes a holistic measure of businesses’ actual impacts and associated domains of responsibility.

Public Sector Undertakings

In line with the previous rounds of IRBI, PSUs are disclosing higher levels of commitment on the index elements than their private counterparts. On elements such as Inclusiveness in supply chain and Community development, private companies are

scoring marginally higher. This is at least partially attributable to the fact that PSUs are mandated by the Government of India to adopt an affirmative action policy and report the same as part of their Business Responsibility Reports (BRR). The majority of PSUs during the study period reported the presence of a Reservation Cell with liaison officer(s), constituted at the Corporate, as well as Regional level to comply with GoI directives on reservation matters for SC/ST/OBC/Ex-servicemen/ Persons with Disabilities. The private sector on the other hand is not mandated to follow this and can voluntarily adopt such policies, as has been found, for example, in the case of Tata Steel and in some initiatives of Godrej and Bajaj Finance. Overall, however, there is still tremendous scope for improvement in non-discrimination related commitments within the private sector.

In terms of their public commitments, PSUs and private sector companies accorded least significance to the element on Community as business stakeholder. Indeed, most companies across sectors have been found to accord least importance to this element. Only in the case of Power and Metal and Mining sectors some companies have shown encouraging levels of commitment. However, there is only one company which has even reached the second of the four quartiles. Therefore, there is a very long way to go. For instance: in terms of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement

Act, 2013, which provides for adequate living and livelihood facilities for affected families the extractive sector companies fall short significantly.

Need for Engagement and Policy Push

The overall data, especially when seen alongside the profits of corporate India, continue to reflect a distance between the interests of business and shareholders and those of communities and of workers. This gap is further accentuated by a lack of policy commitments and disclosures in the public domain. These are some prerequisites of a truly constructive engagement, as has been evident from the past in citizens' engagement with government. Businesses also need to recognise the value of this

engagement and the role it can play in supporting their sustainability in the long term, especially in the context of increasing expectations from within the global market.

On a positive note India has a Voluntary framework in the form of the NVGs, and a mandatory reporting mechanism in the form of the BRRs, and there is scope for strengthening each of these. With the growing reach and influence of corporates in the developmental agenda, and in the context of India's commitment to the Sustainable Development Goals, there is a need for a push from State, Civil Society, as well from leaders within industries, to bring due focus to the conditions and processes of production, rather than simply treating communities as recipients of business profits.

The scope of NVGs

The National Voluntary Guidelines on Social, Environmental and Economic Responsibilities of Business (NVGs) released by the Ministry of Corporates in July 2011, are in the process of being updated, and this is therefore a timely juncture to consider ways to bring improvement to both, its content and uptake, by business. Whilst a full assessment of the impact of the NVGs upon the business responsibility discourse is beyond the scope of the present note, it is pertinent to bring attention to its role in, at least contributing to, if not spurring, the following three landmark developments:

- **Non-financial disclosure and reporting:** the encouraging uptake by SEBI in 2012, of the NVG Reporting Framework, as the Business Responsibility Report (BRR) needs to be extended to a much wider business audience, the Reporting Framework improved upon, and its usage extended to a wider group of stakeholders, including investors, consumers and academia.
- **Human Rights:** the encouraging international and national developments in the Business & Human Rights interface bear testimony to the thought-leadership of the NVGs in referencing the UN 'Protect Respect Remedy' Framework and the resultant UN Guiding Principles on Business and Human Rights (UNGPs:2011). This important step towards a human rights-based approach by business and access to effective remedy for those whose human rights have been adversely impacted or abused, has been given recent impetus by the National Human Rights Commission's consultations with business and other stakeholders, within which the development of a National Action Plan (NAP) for Business and Human Rights is a core element for future advocacy.
- **Focus on the Supply-Chain:** recent international developments in supply chain transparency and disclosure accompanied by a focus on a wide range of human rights issues, including, child and forced labour, gender and discrimination, is an issue that the NVGs should bring focussed attention to in the Indian context.

It is hoped that active engagement with the process of the NVGs being updated as and when it is placed in the public domain will result in their contributing to a force for change in the business responsibility domain.

Viraf Mehta, Member of NVG Drafting Committee and Advisor, Partners in Change

Annexure 1: Note on sector categorisation of companies

The Bombay Stock Exchange classifies listed companies on the basis of activities undertaken by them. This study has considered these categorisations in order to understand how specific sectors, based on the companies that comprise them, are performing.

While there are numerous industry sectors for companies listed on the BSE, the top 100 companies broadly fall under 18 sectors. These companies are not equally distributed across these sectors, a few of the sectors have only one or two companies, making it difficult to compare and analyse the data collated. For ease of comparability, therefore, sectors where the nature of activity was observed to be similar have been grouped. Accordingly, companies have been classified based on these new categories.

'Oil and Gas' category comprises both producer and oil-marketing companies. While producer companies also deal in petrochemicals, they have not been categorised under 'Chemicals and Petrochemicals'. This particular category has only one company. Thus, for better analyses and comparability, these two sectors have been clubbed.

'IT', 'Telecom' and 'Media and Publishing' are separate sectors in the BSE list. However, given the common thread of computer technology and telecommunications among them, these three have been grouped together. Similarly, 'Transport Services' and 'Transport Equipment' have also been combined.

'FMCG', 'Textiles', and 'Consumer durables' are separate categories as per BSE. Although the business processes vary widely between these sectors, the profile of the end-user and, as a result, the marketing mechanisms are roughly the same. This similarity is evident from the fact that end-users can access products in all these four categories under the same roof, thanks to the proliferation of departmental stores, super and hypermarkets. Therefore, these four categories have been grouped together.

'Finance' is a separate sector as per the BSE list while one public sector trading company categorised under 'Miscellaneous' has been put under 'Metal, Metal Products and Mining', for ease of comparability and owing to the large amount of metal and mining products it imports and exports.

The table below provides the details:

BSE SECTORS	SECTORS FOR THIS STUDY
1. Oil and Gas,	1. Oil and Gas, Chemicals and petrochemicals
2. Chemicals and petrochemicals	2. IT, Telecom, Media and Publishing
3. IT,	3. FMCG, Textiles and Consumables
4. Telecom,	4. Healthcare
5. Media and Publishing	5. Transport equipment and services
6. FMCG,	6. Metal, Metal Products and Mining
7. Textiles,	7. Miscellaneous
8. Healthcare	8. Power
9. Consumer durables	9. Finance
10. Transport equipment	10. Capital goods
11. Transport services	11. Housing related
12. Metal, Metal Products and Mining	12. Diversified
13. Power	
14. Finance	
15. Capital Goods	
16. Housing related	
17. Diversified	
18. Miscellaneous	

Annexure 2: Companies, Sector, Ownership Status and Scores for each element

The table below details scores of 124 companies.

There were 74 companies that consistently remained in top 100 across all three rounds of data collection (mentioned in the table as Continued).

23 companies dropped out of top 100 list as on March, 2016 (mentioned in the table as Continued).

25 Company were included in the top 100 list as on March 2016 (mentioned in the table as Continued)

2 companies- Ranbaxy and Cairn merged with other entities after round 1 and 2 respectively (mentioned in the table as Merged)

S.No	Company Name	Status in 2016 Top 100 List	Sector	Ownership	Score					
					Year	Non-discrimination in the workplace	Respecting employee dignity & human rights	Community development	Inclusiveness in supply chain	Community as business stakeholder
1	ABB	Continued	Capital Goods	Private	2015	0.52	0.44	0.24	0.34	0.11
					2016	0.52	0.57	0.31	0.52	0.11
					2017	0.55	0.64	0.41	0.71	0.11
2	ACC	Continued	Housing Related	Private	2015	0.62	0.63	0.51	0.26	0.09
					2016	0.71	0.55	0.59	0.25	0.01
					2017	0.71	0.58	0.73	0.25	0.09
3	Adani Enterprises	Dropped	Power and Diversified	Private	2015	0.42	0.37	0.43	0.25	0.01
					2016	0.45	0.51	0.59	0.03	0.01
					2017	0.43	0.51	0.59	0.03	0.01
4	Adani Ports and Special Economic Zone	Continued	Transport Equipments and Services	Private	2015	0.45	0.44	0.50	0.26	0.09
					2016	0.51	0.44	0.66	0.26	0.10
					2017	0.42	0.36	0.66	0.12	0.10
5	Adani Power	Dropped	Power and Diversified	Private	2015	0.48	0.20	0.39	0.09	0.10
					2016	0.51	0.28	0.57	0.47	0.03
					2017	0.42	0.36	0.57	0.44	0.01
6	Ambuja Cements	Continued	Housing Related	Private	2015	0.68	0.51	0.71	0.42	0.09
					2016	0.59	0.63	0.73	0.40	0.08
					2017	0.68	0.63	0.62	0.49	0.01
7	Apollo Hospitals Enterprise	Included	Pharmaceutical, Healthcare and Related facilities	Private	2016	0.47	0.37	0.59	0.34	0.10
					2017	0.23	0.37	0.59	0.43	0.10
8	Ashok Leyland	Included	Transport Equipments and Services	Private	2016	0.16	0.04	0.46	0.07	0.00
					2017	0.43	0.41	0.64	0.33	0.09
9	Asian Paints India	Continued	Oil and Gas, Chemicals and Petrochemicals	Private	2015	0.33	0.46	0.54	0.42	0.01
					2016	0.37	0.59	0.55	0.22	0.18
					2017	0.37	0.55	0.48	0.22	0.19
10	Aurobindo Pharma	Included	Pharmaceutical, Healthcare and Related facilities	Private	2016	0.27	0.27	0.53	0.18	0.08
					2017	0.23	0.27	0.56	0.21	0.08

S.No	Company Name	Status in 2016 Top 100 List	Sector	Ownership	Score					
					Year	Non-discrimination in the workplace	Respecting employee dignity & human rights	Community development	Inclusiveness in supply chain	Community as business stakeholder
11	Axis Bank	Continued	Finance	Private	2015	0.56	0.57	0.87	0.31	0.08
					2016	0.40	0.57	0.74	0.31	0.08
					2017	0.23	0.25	0.67	0.09	0.10
12	Bajaj Auto	Continued	Transport Equipments and Services	Private	2015	0.39	0.11	0.27	0.30	0.03
					2016	0.50	0.39	0.59	0.37	0.10
					2017	0.39	0.43	0.59	0.16	0.10
13	Bajaj Finance	Included	Finance	Private	2016	0.45	0.12	0.57	0.00	0.00
					2017	0.29	0.12	0.48	0.00	0.00
14	Bajaj Finserv	Included	Finance	Private	2016	0.18	0.15	0.57	0.00	0.00
					2017	0.29	0.12	0.62	0.00	0.00
15	Bank Of Baroda	Continued	Finance	PSU	2015	0.73	0.31	0.21	0.00	0.03
					2016	0.76	0.27	0.29	0.00	0.03
					2017	0.76	0.51	0.36	0.00	0.03
16	Bank Of India	Dropped	Finance	PSU	2015	0.64	0.35	0.29	0.07	0.03
					2016	0.61	0.48	0.11	0.07	0.00
					2017	0.60	0.48	0.11	0.07	0.08
17	Bharat Electronics	Continued	Capital Goods	PSU	2015	0.76	0.67	0.51	0.45	0.11
					2016	0.82	0.63	0.66	0.54	0.11
					2017	0.82	0.63	0.66	0.54	0.11
18	Bharat Forge	Included	Capital Goods	Private	2016	0.39	0.31	0.56	0.23	0.01
					2017	0.45	0.24	0.59	0.30	0.00
19	Bharat Heavy Electricals	Continued	Capital Goods	PSU	2015	0.67	0.40	0.64	0.48	0.10
					2016	0.70	0.44	0.66	0.82	0.10
					2017	0.64	0.63	0.59	0.65	0.03
20	Bharat Petroleum Corpn	Continued	Oil and Gas, Chemicals and Petrochemicals	PSU	2015	0.60	0.39	0.66	0.45	0.10
					2016	0.64	0.60	0.67	0.67	0.10
					2017	0.60	0.47	0.74	0.69	0.10
21	Bharti Airtel	Continued	IT, Telecom, Media and Publishing	Private	2015	0.60	0.30	0.57	0.51	0.10
					2016	0.60	0.30	0.59	0.09	0.01
					2017	0.60	0.30	0.59	0.09	0.01
22	Bharti Infratel	Included	IT, Telecom, Media and Publishing	Private	2016	0.49	0.14	0.67	0.23	0.00
					2017	0.49	0.18	0.64	0.18	0.00
23	Bosch	Continued	Transport Equipments and Services	Private	2015	0.50	0.73	0.48	0.31	0.03
					2016	0.59	0.71	0.66	0.49	0.10
					2017	0.59	0.71	0.66	0.52	0.03
24	Britannia Industries	Included	FMCG, Textiles and Cosumer Durables	Private	2016	0.57	0.43	0.17	0.25	0.00
					2017	0.60	0.39	0.59	0.25	0.00
25	Cairn India	Merged	Oil and Gas, Chemicals and Petrochemicals	Private	2015	0.38	0.39	0.64	0.59	0.20
					2016	0.33	0.50	0.56	0.59	0.15

S.No	Company Name	Status in 2016 Top 100 List	Sector	Ownership	Score					
					Year	Non-discrimination in the workplace	Respecting employee dignity & human rights	Community development	Inclusiveness in supply chain	Community as business stakeholder
26	Canara Bank	Dropped	Finance	PSU	2015	0.72	0.47	0.59	0.16	0.03
					2016	0.75	0.43	0.54	0.35	0.03
					2017	0.78	0.43	0.61	0.35	0.03
27	Castrol India	Continued	Oil and Gas, Chemicals and Petrochemicals	Private	2015	0.47	0.47	0.51	0.31	0.09
					2016	0.32	0.27	0.48	0.33	0.03
					2017	0.32	0.40	0.51	0.35	0.04
28	Cipla	Continued	Pharmaceutical, Healthcare and Related facilities	Private	2015	0.33	0.51	0.39	0.28	0.11
					2016	0.24	0.51	0.41	0.35	0.11
					2017	0.24	0.46	0.41	0.26	0.11
29	Coal India	Continued	Metal, Metal Products and Mining	PSU	2015	0.54	0.56	0.51	0.40	0.46
					2016	0.60	0.32	0.55	0.38	0.24
					2017	0.56	0.24	0.56	0.00	0.21
30	Colgate Palmolive India	Continued	FMCG, Textiles and Consumer Durables	Private	2015	0.68	0.55	0.36	0.66	0.09
					2016	0.60	0.55	0.43	0.54	0.01
					2017	0.60	0.55	0.68	0.54	0.00
31	Container Corporation Of India	Continued	Transport Equipments and Services	PSU	2015	0.67	0.44	0.64	0.33	0.01
					2016	0.58	0.41	0.66	0.38	0.01
					2017	0.58	0.41	0.66	0.49	0.01
32	Cummins India	Continued	Transport Equipments and Services	Private	2015	0.47	0.45	0.62	0.36	0.19
					2016	0.47	0.57	0.55	0.45	0.19
					2017	0.45	0.57	0.62	0.45	0.10
33	Dabur India	Continued	FMCG, Textiles and Consumer Durables	Private	2015	0.57	0.59	0.57	0.57	0.10
					2016	0.57	0.59	0.43	0.48	0.03
					2017	0.28	0.51	0.64	0.22	0.10
34	Divis Laboratories	Included	Pharmaceutical, Healthcare and Related facilities	Private	2016	0.44	0.54	0.48	0.36	0.09
					2017	0.44	0.54	0.64	0.41	0.12
35	DLF	Continued	Housing Related	Private	2015	0.39	0.50	0.55	0.43	0.09
					2016	0.55	0.46	0.66	0.40	0.01
					2017	0.45	0.39	0.66	0.49	0.01
36	Dr Reddy's Laboratories	Continued	Pharmaceutical, Healthcare and Related facilities	Private	2015	0.53	0.32	0.39	0.43	0.09
					2016	0.59	0.24	0.46	0.35	0.08
					2017	0.52	0.36	0.55	0.42	0.08
37	Eicher Motors	Included	Transport Equipments and Services	Private	2016	0.29	0.20	0.41	0.23	0.16
					2017	0.39	0.47	0.48	0.32	0.00
38	Emami	Included	FMCG, Textiles and Consumer Durables	Private	2016	0.65	0.68	0.46	0.43	0.13
					2017	0.59	0.65	0.64	0.54	0.13
39	Exide Industries	Dropped	Transport Equipments and Services	Private	2015	0.54	0.30	0.37	0.35	0.13
					2016	0.54	0.38	0.41	0.37	0.03
					2017	0.52	0.38	0.55	0.30	0.09

S.No	Company Name	Status in 2016 Top 100 List	Sector	Ownership	Score					
					Year	Non-discrimination in the workplace	Respecting employee dignity & human rights	Community development	Inclusiveness in supply chain	Community as business stakeholder
40	Gail India	Continued	Oil and Gas, Chemicals and Petrochemicals	PSU	2015	0.58	0.64	0.81	0.54	0.09
					2016	0.72	0.60	0.74	0.52	0.12
					2017	0.79	0.63	0.74	0.52	0.09
41	Glaxosmithkline Consumer Healthcare	Continued	Pharmaceutical, Healthcare and Related facilities	Private	2015	0.33	0.42	0.32	0.16	0.08
					2016	0.54	0.67	0.46	0.42	0.09
					2017	0.50	0.54	0.71	0.40	0.09
42	Glaxosmithkline Pharmaceuticals	Continued	Pharmaceutical, Healthcare and Related facilities	Private	2015	0.39	0.20	0.50	0.47	0.09
					2016	0.43	0.46	0.61	0.07	0.01
					2017	0.46	0.40	0.46	0.45	0.03
43	Glenmark Pharmaceuticals	Included	Pharmaceutical, Healthcare and Related facilities	Private	2016	0.18	0.08	0.29	0.09	0.00
					2017	0.18	0.23	0.57	0.00	0.00
44	Gmr Infrastructure	Dropped	Power and Diversified	Private	2015	0.28	0.35	0.59	0.51	0.13
					2016	0.30	0.26	0.51	0.32	0.15
					2017	0.30	0.26	0.59	0.32	0.15
45	Godrej Consumer Products	Continued	FMCG, Textiles and Consumer Durables	Private	2015	0.66	0.43	0.59	0.37	0.10
					2016	0.71	0.55	0.66	0.64	0.10
					2017	0.69	0.63	0.66	0.66	0.16
46	Grasim Industries	Continued	FMCG, Textiles and Consumer Durables	Private	2015	0.30	0.35	0.48	0.09	0.08
					2016	0.30	0.55	0.62	0.50	0.09
					2017	0.23	0.40	0.62	0.50	0.09
47	Havells India	Included	FMCG, Textiles and Consumer Durables	Private	2016	0.45	0.43	0.59	0.38	0.01
					2017	0.57	0.42	0.73	0.50	0.09
48	HCL Technologies	Continued	IT, Telecom, Media and Publishing	Private	2015	0.60	0.20	0.52	0.44	0.09
					2016	0.60	0.28	0.74	0.45	0.10
					2017	0.62	0.24	0.62	0.38	0.03
49	HDFC Bank	Continued	Finance	Private	2015	0.40	0.08	0.41	0.07	0.08
					2016	0.32	0.08	0.51	0.07	0.08
					2017	0.35	0.12	0.66	0.22	0.10
50	HDFC Finance	Continued	Finance	Private	2015	0.41	0.12	0.44	0.09	0.01
					2016	0.44	0.43	0.59	0.07	0.03
					2017	0.51	0.43	0.55	0.07	0.03
51	Hero Motocorp	Continued	Transport Equipments and Services	Private	2015	0.33	0.39	0.32	0.33	0.09
					2016	0.53	0.43	0.48	0.38	0.09
					2017	0.56	0.55	0.66	0.35	0.09
52	Hindalco Industries	Continued	Metal, Metal Products and Mining	Private	2015	0.40	0.40	0.43	0.19	0.09
					2016	0.45	0.07	0.59	0.00	0.03
					2017	0.39	0.07	0.59	0.00	0.04

S.No	Company Name	Status in 2016 Top 100 List	Sector	Ownership	Score					
					Year	Non-discrimination in the workplace	Respecting employee dignity & human rights	Community development	Inclusiveness in supply chain	Community as business stakeholder
53	Hindustan Copper	Dropped	Metal, Metal Products and Mining	PSU	2015	0.49	0.35	0.37	0.18	0.09
					2016	0.71	0.35	0.55	0.35	0.09
					2017	0.80	0.39	0.55	0.35	0.03
54	Hindustan Petroleum Corporation	Included	Oil and Gas, Chemicals and Petrochemicals	PSU	2016	0.48	0.44	0.60	0.33	0.03
					2017	0.53	0.51	0.67	0.35	0.00
55	Hindustan Unilever	Continued	FMCG, Textiles and Cosumer Durables	Private	2015	0.38	0.61	0.68	0.58	0.13
					2016	0.46	0.49	0.61	0.64	0.23
					2017	0.46	0.57	0.66	0.64	0.15
56	Hindustan Zinc	Continued	Metal, Metal Products and Mining	Private	2015	0.45	0.43	0.32	0.24	0.13
					2016	0.28	0.43	0.43	0.20	0.01
					2017	0.43	0.35	0.57	0.20	0.11
57	ICICI Bank	Continued	Finance	Private	2015	0.27	0.19	0.80	0.07	0.03
					2016	0.27	0.31	0.87	0.07	0.01
					2017	0.30	0.31	0.76	0.07	0.01
58	Idea Cellular	Continued	IT, Telecom, Media and Publishing	Private	2015	0.34	0.40	0.48	0.50	0.05
					2016	0.27	0.40	0.66	0.50	0.13
					2017	0.27	0.36	0.66	0.50	0.13
59	IDFC	Dropped	Finance	Private	2015	0.52	0.31	0.50	0.42	0.13
					2016	0.55	0.39	0.68	0.47	0.09
					2017	0.38	0.27	0.64	0.40	0.00
60	Indiabulls Housing Finance	Included	Finance	Private	2016	0.53	0.16	0.55	0.07	0.03
					2017	0.53	0.16	0.57	0.16	0.03
61	Indian Oil Corporation	Continued	Oil and Gas, Chemicals and Petrochemicals	PSU	2015	0.72	0.71	0.55	0.47	0.10
					2016	0.69	0.72	0.57	0.40	0.25
					2017	0.72	0.67	0.61	0.47	0.18
62	Indusind Bank	Continued	Finance	Private	2015	0.56	0.32	0.49	0.16	0.03
					2016	0.62	0.35	0.66	0.41	0.10
					2017	0.47	0.23	0.66	0.21	0.00
63	Infosys	Continued	IT, Telecom, Media and Publishing	Private	2015	0.53	0.44	0.43	0.47	0.08
					2016	0.65	0.15	0.56	0.31	0.08
					2017	0.65	0.40	0.52	0.33	0.10
64	Inter Globe Aviation	Included	Transport Equipments and Services	Private	2016	0.27	0.15	0.57	0.07	0.01
					2017	0.32	0.24	0.57	0.07	0.00
65	ITC	Continued	FMCG, Textiles and Cosumer Durables	Private	2015	0.59	0.57	0.71	0.48	0.10
					2016	0.62	0.65	0.73	0.45	0.14
					2017	0.62	0.61	0.80	0.54	0.20
66	Jaiprakash Associates	Dropped	Housing Related	Private	2015	0.30	0.39	0.46	0.24	0.10
					2016	0.33	0.47	0.66	0.26	0.03
					2017	0.33	0.47	0.59	0.35	0.04

S.No	Company Name	Status in 2016 Top 100 List	Sector	Ownership	Score					
					Year	Non-discrimination in the workplace	Respecting employee dignity & human rights	Community development	Inclusiveness in supply chain	Community as business stakeholder
67	Jindal Steel And Power	Dropped	Metal, Metal Products and Mining	Private	2015	0.71	0.63	0.71	0.65	0.09
					2016	0.64	0.42	0.64	0.46	0.08
					2017	0.61	0.39	0.51	0.46	0.03
68	JSW Steel	Continued	Metal, Metal Products and Mining	Private	2015	0.65	0.47	0.34	0.54	0.10
					2016	0.69	0.55	0.57	0.15	0.03
					2017	0.63	0.59	0.59	0.15	0.04
69	Kotak Mahindra Bank	Continued	Finance	Private	2015	0.47	0.36	0.47	0.24	0.03
					2016	0.47	0.48	0.49	0.22	0.00
					2017	0.28	0.44	0.66	0.26	0.00
70	Larsen And Toubro	Continued	Capital Goods	Private	2015	0.47	0.45	0.23	0.28	0.09
					2016	0.53	0.69	0.69	0.83	0.10
					2017	0.54	0.53	0.68	0.74	0.10
71	LIC Housing Finance	Continued	Finance	PSU	2015	0.23	0.17	0.26	0.16	0.08
					2016	0.27	0.29	0.54	0.24	0.01
					2017	0.27	0.29	0.75	0.35	0.01
72	Lupin	Continued	Pharmaceutical, Healthcare and Related facilities	Private	2015	0.20	0.27	0.49	0.27	0.10
					2016	0.23	0.48	0.51	0.40	0.09
					2017	0.30	0.48	0.72	0.40	0.09
73	Mahindra and Mahindra	Continued	Transport Equipments and Services	Private	2015	0.63	0.63	0.66	0.48	0.10
					2016	0.57	0.63	0.69	0.52	0.10
					2017	0.57	0.63	0.76	0.61	0.10
74	Mangalore Refinery And Petrochemicals	Dropped	Oil and Gas, Chemicals and Petrochemicals	PSU	2015	0.31	0.20	0.43	0.31	0.09
					2016	0.53	0.24	0.43	0.30	0.08
					2017	0.53	0.27	0.50	0.21	0.08
75	Marico	Included	FMCG, Textiles and Cosumer Durables	Private	2016	0.66	0.55	0.80	0.57	0.16
					2017	0.72	0.63	0.71	0.42	0.10
76	Maruti Suzuki India	Continued	Transport Equipments and Services	Private	2015	0.53	0.49	0.51	0.61	0.03
					2016	0.51	0.28	0.59	0.47	0.00
					2017	0.56	0.32	0.66	0.47	0.09
77	MMTC	Dropped	Metal, Metal Products and Mining	PSU	2015	0.54	0.35	0.41	0.00	0.00
					2016	0.68	0.23	0.56	0.00	0.00
					2017	0.68	0.27	0.58	0.09	0.01
78	Motherson Sumi Systems	Included	Transport Equipments and Services	Private	2016	0.36	0.43	0.54	0.24	0.09
					2017	0.30	0.43	0.54	0.33	0.09
79	National Aluminium	Dropped	Metal, Metal Products and Mining	PSU	2015	0.73	0.47	0.53	0.35	0.12
					2016	0.60	0.34	0.48	0.44	0.08
					2017	0.60	0.42	0.48	0.35	0.10

S.No	Company Name	Status in 2016 Top 100 List	Sector	Ownership	Score					
					Year	Non-discrimination in the workplace	Respecting employee dignity & human rights	Community development	Inclusiveness in supply chain	Community as business stakeholder
80	Nestle India	Continued	FMCG, Textiles and Cosnumner Durables	Private	2015	0.42	0.48	0.51	0.50	0.09
					2016	0.57	0.42	0.66	0.48	0.00
					2017	0.55	0.55	0.73	0.62	0.01
81	Neyveli	Dropped	Power and Diversified	PSU	2015	0.33	0.39	0.66	0.18	0.23
					2016	0.60	0.29	0.61	0.00	0.08
					2017	0.63	0.55	0.67	0.09	0.13
82	NHPC	Continued	Power and Diversified	PSU	2015	0.64	0.19	0.65	0.09	0.39
					2016	0.77	0.23	0.66	0.09	0.46
					2017	0.77	0.26	0.62	0.09	0.40
83	NMDC	Continued	Metal, Metal Products and Mining	PSU	2015	0.63	0.52	0.69	0.47	0.01
					2016	0.69	0.71	0.66	0.42	0.08
					2017	0.71	0.67	0.68	0.42	0.09
84	NTPC	Continued	Power and Diversified	PSU	2015	0.41	0.42	0.41	0.16	0.22
					2016	0.75	0.51	0.71	0.45	0.10
					2017	0.75	0.51	0.50	0.45	0.20
85	Oil And Natural Gas Corporation	Continued	Oil and Gas, Chemicals and Petrochemicals	PSU	2015	0.52	0.61	0.71	0.44	0.09
					2016	0.61	0.48	0.73	0.47	0.09
					2017	0.64	0.48	0.76	0.47	0.08
86	Oil India	Continued	Oil and Gas, Chemicals and Petrochemicals	PSU	2015	0.64	0.76	0.62	0.57	0.27
					2016	0.68	0.63	0.73	0.57	0.13
					2017	0.60	0.47	0.80	0.42	0.11
87	Oracle Financial Services Software	Continued	IT, Telecom, Media and Publishing	Private	2015	0.53	0.48	0.23	0.40	0.01
					2016	0.51	0.43	0.46	0.43	0.00
					2017	0.51	0.43	0.46	0.43	0.03
88	Petronet LNG	Continued	Oil and Gas, Chemicals and Petrochemicals	PSU	2015	0.50	0.43	0.47	0.43	0.08
					2016	0.47	0.23	0.59	0.28	0.00
					2017	0.30	0.38	0.48	0.28	0.00
89	Pidilite Industries	Included	Oil and Gas, Chemicals and Petrochemicals	Private	2016	0.33	0.34	0.42	0.07	0.00
					2017	0.33	0.34	0.32	0.07	0.00
90	Power Finance Corporation	Continued	Finance	PSU	2015	0.71	0.35	0.54	0.00	0.00
					2016	0.73	0.32	0.61	0.00	0.00
					2017	0.63	0.27	0.60	0.00	0.00
91	Power Grid Corporation Of India	Continued	Power and Diversified	PSU	2015	0.55	0.43	0.40	0.25	0.00
					2016	0.61	0.51	0.63	0.16	0.03
					2017	0.61	0.71	0.66	0.31	0.12
92	Procter & Gamble Hygiene And Health Care	Included	FMCG, Textiles and Cosnumner Durables	Private	2016	0.42	0.28	0.38	0.15	0.08
					2017	0.57	0.59	0.51	0.24	0.08

S.No	Company Name	Status in 2016 Top 100 List	Sector	Ownership	Score					
					Year	Non-discrimination in the workplace	Respecting employee dignity & human rights	Community development	Inclusiveness in supply chain	Community as business stakeholder
93	Punjab National Bank	Dropped	Finance	PSU	2015	0.54	0.23	0.25	0.00	0.03
					2016	0.75	0.43	0.41	0.36	0.10
					2017	0.75	0.35	0.36	0.23	0.03
94	Rajesh Exports	Included	Miscellaneous	Private	2016	0.34	0.00	0.46	0.00	0.00
					2017	0.34	0.12	0.39	0.25	0.00
95	Ranbaxy	Merged	Pharmaceutical, Healthcare and Related facilities	Private	2015	0.42	0.36	0.14	0.33	0.08
96	Reliance Communications	Dropped	IT, Telecom, Media and Publishing	Private	2015	0.33	0.30	0.41	0.32	0.00
					2016	0.36	0.46	0.50	0.47	0.03
					2017	0.39	0.38	0.34	0.40	0.01
97	Reliance Industries	Continued	Oil and Gas, Chemicals and Petrochemicals	Private	2015	0.63	0.58	0.39	0.35	0.17
					2016	0.33	0.67	0.56	0.47	0.10
					2017	0.37	0.63	0.66	0.43	0.10
98	Reliance Infrastructure	Dropped	Power and Diversified	Private	2015	0.57	0.26	0.34	0.27	0.03
					2016	0.60	0.63	0.66	0.43	0.01
					2017	0.60	0.54	0.64	0.43	0.01
99	Reliance Power	Dropped	Power and Diversified	Private	2015	0.18	0.24	0.42	0.07	0.01
					2016	0.23	0.20	0.56	0.07	0.03
					2017	0.39	0.35	0.55	0.30	0.10
100	Rural Electrification Corporation	Dropped	Finance	PSU	2015	0.56	0.21	0.65	0.18	0.08
					2016	0.71	0.55	0.69	0.28	0.08
					2017	0.71	0.52	0.73	0.28	0.08
101	Shree Cement	Continued	Housing Related	Private	2015	0.66	0.47	0.54	0.35	0.18
					2016	0.60	0.43	0.37	0.35	0.01
					2017	0.63	0.51	0.53	0.37	0.01
102	Shriram Transport Finance Co	Continued	Finance	Private	2015	0.57	0.43	0.51	0.33	0.05
					2016	0.52	0.29	0.56	0.24	0.05
					2017	0.52	0.44	0.50	0.07	0.06
103	Siemens	Continued	Capital Goods	Private	2015	0.41	0.60	0.48	0.67	0.13
					2016	0.39	0.56	0.66	0.64	0.03
					2017	0.44	0.48	0.76	0.64	0.03
104	State Bank Of India	Continued	Finance	PSU	2015	0.58	0.28	0.34	0.10	0.03
					2016	0.60	0.40	0.60	0.17	0.10
					2017	0.66	0.36	0.51	0.17	0.10
105	Steel Authority Of India	Dropped	Metal, Metal Products and Mining	PSU	2015	0.31	0.43	0.39	0.22	0.10
					2016	0.70	0.59	0.67	0.09	0.11
					2017	0.69	0.51	0.74	0.09	0.11

S.No	Company Name	Status in 2016 Top 100 List	Sector	Ownership	Score					
					Year	Non-discrimination in the workplace	Respecting employee dignity & human rights	Community development	Inclusiveness in supply chain	Community as business stakeholder
106	Sun Pharmaceutical Industries	Continued	Pharmaceutical, Healthcare and Related facilities	Private	2015	0.53	0.27	0.37	0.27	0.01
					2016	0.56	0.43	0.37	0.29	0.01
					2017	0.53	0.47	0.53	0.38	0.03
107	Sun TV Network	Dropped	IT, Telecom, Media and Publishing	Private	2015	0.20	0.08	0.32	0.12	0.01
					2016	0.18	0.08	0.34	0.05	0.01
					2017	0.23	0.08	0.48	0.12	0.01
108	Tata Consultancy Services	Continued	IT, Telecom, Media and Publishing	Private	2015	0.53	0.48	0.44	0.16	0.10
					2016	0.62	0.59	0.55	0.42	0.10
					2017	0.69	0.67	0.62	0.71	0.10
109	Tata Motors	Continued	Transport Equipments and Services	Private	2015	0.47	0.44	0.51	0.58	0.10
					2016	0.71	0.58	0.49	0.69	0.13
					2017	0.55	0.58	0.60	0.69	0.13
110	Tata Power Co	Dropped	Power and Diversified	Private	2015	0.58	0.55	0.60	0.33	0.10
					2016	0.61	0.44	0.68	0.51	0.10
					2017	0.61	0.36	0.60	0.56	0.10
111	Tata Steel	Continued	Metal, Metal Products and Mining	Private	2015	0.61	0.56	0.73	0.58	0.24
					2016	0.53	0.39	0.66	0.33	0.22
					2017	0.64	0.36	0.59	0.25	0.13
112	Tech Mahindra	Included	IT, Telecom, Media and Publishing	Private	2016	0.69	0.46	0.67	0.38	0.01
					2017	0.62	0.38	0.71	0.38	0.03
113	Titan Industries	Continued	FMCG, Textiles and Consumer Durables	Private	2015	0.60	0.58	0.49	0.61	0.11
					2016	0.64	0.48	0.59	0.59	0.14
					2017	0.61	0.43	0.59	0.57	0.14
114	Torrent Pharmaceuticals	Included	Pharmaceutical, Healthcare and Related facilities	Private	2016	0.12	0.04	0.59	0.00	0.00
					2017	0.45	0.34	0.66	0.30	0.08
115	Ultratech Cement	Continued	Housing Related	Private	2015	0.30	0.48	0.43	0.35	0.08
					2016	0.50	0.63	0.66	0.38	0.10
					2017	0.33	0.59	0.66	0.38	0.00
116	Union Bank Of India	Dropped	Finance	PSU	2015	0.53	0.33	0.39	0.28	0.03
					2016	0.71	0.45	0.59	0.35	0.03
					2017	0.49	0.45	0.41	0.35	0.10
117	United Breweries	Continued	FMCG, Textiles and Consumer Durables	Private	2015	0.30	0.35	0.51	0.25	0.03
					2016	0.30	0.27	0.48	0.12	0.00
					2017	0.30	0.39	0.57	0.23	0.03
118	United Spirits	Included	FMCG, Textiles and Consumer Durables	Private	2016	0.66	0.47	0.57	0.37	0.00
					2017	0.63	0.43	0.57	0.40	0.00
119	UPL	Included	Oil and Gas, Chemicals and Petrochemicals	Private	2016	0.09	0.11	0.55	0.18	0.00
					2017	0.33	0.30	0.64	0.44	0.01

S.No	Company Name	Status in 2016 Top 100 List	Sector	Ownership	Score					
					Year	Non-discrimination in the workplace	Respecting employee dignity & human rights	Community development	Inclusiveness in supply chain	Community as business stakeholder
120	Vedanta	Continued	Metal, Metal Products and Mining	Private	2015	0.52	0.65	0.55	0.32	0.40
					2016	0.52	0.53	0.62	0.38	0.08
					2017	0.61	0.60	0.66	0.38	0.17
121	Wipro	Continued	IT, Telecom, Media and Publishing	Private	2015	0.55	0.36	0.34	0.34	0.10
					2016	0.62	0.36	0.59	0.34	0.10
					2017	0.62	0.48	0.59	0.47	0.10
122	Yes Bank	Continued	Finance	Private	2015	0.36	0.19	0.44	0.42	0.10
					2016	0.36	0.19	0.62	0.50	0.13
					2017	0.39	0.32	0.66	0.50	0.13
123	Zee Entertainment Enterprises	Continued	IT, Telecom, Media and Publishing	Private	2015	0.42	0.24	0.59	0.35	0.03
					2016	0.36	0.15	0.55	0.12	0.10
					2017	0.42	0.15	0.55	0.12	0.03
124	Zydus Cadila	Continued	Pharmaceutical, Healthcare and Related facilities	Private	2015	0.47	0.08	0.23	0.18	0.09
					2016	0.44	0.23	0.39	0.18	0.00
					2017	0.47	0.36	0.39	0.21	0.01

Number of companies to whom datasheets were sent: 122

Number of companies that referred to datasheets, as on 20 January, 2018: 39

Number of companies that sent comments to data, as on 20 January, 2018: 3





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