

Safe in India Foundation



Ref: SII/2019/69

Date: 4 December 2019

To

Shri Mahtab Bhartruhari

Chairman

Parliamentary Standing Committee, Labour

Dear Shri Bhartruhari

Subject: Make in India Safely; Recommendations on the OSH Draft Code as discussed with Hon'ble Labour Minister, Shri Santosh Gangwar, by Safe in India Foundation.

We refer to our discussions with the Hon'ble Labour Minister of August 20, 2019, minutes attached, where he had offered to call a meeting of the OSH Code Parliamentary Committee to discuss our findings of 2,000+ injured workers to inform improvements in the OSH Draft Code.

This meeting has not been possible due to the very short time given to the public to provide feedback on the Code. While that is disappointing, we attach here the following documents for your kind attention:

1. Specific Recommendations on the Draft Code.
2. Excerpt of the Accident Prevention Report "Crushed" by Safe in India Foundation; based on experience of assisting 2,000+ workers most of whom had lost hands and/or fingers in SME factories.
3. Record Notes of Stakeholder Meeting under the Chairmanship of Hon'ble Minister Shri Gangwar ji.

We really hope that the PSC looks at this seriously not only for the moral and constitutional imperative to provide safer working conditions for ALL Indians, even if it is achieved in a phased manner, but also for labour productivity gains Indian industry needs to win in the medium to long term.

Yours Sincerely

Sandeep Sachdeva

Co-Founder CEO

sandeep.sachdeva@safeinindia.org

cc: By email to Hon'ble Minister Shri Santosh Gangwar ji
Additional secretary, Labour

ITC Apartment, 2nd Floor, Near Dena Bank, Village and Post Manesar, Gurugram, Haryana-122051
www.safeinindia.org, email: team@safeinindia.org, Ph: 9650464834

Safe in India Foundation ("SII") provides free of charge assistance to injured workers, mostly in auto-sector supply chain, currently in Gurugram-Manesar, in their ESIC healthcare and claims. SII activities are funded by supporters and donors, mostly from IIM Ahmedabad and IIT Roorkee, concerned about the well-being and productivity of millions of Indian workers at risk. SII has no income expectations or commercial partnerships. The co-founders do not charge SII for their time and services.

Observations of Safe in India Foundation (“SII”) on the Occupational Safety, Health and Working conditions Code, 2019 (“the OSH Code”)

Safe in India Foundation (SII) is a civic initiative to (1) assist injured workers with their ESIC healthcare and compensations, (2) help ESIC improve its services nationally with this real experience, (3) help reduce these accidents.

SII has assisted 2,000+ injured workers in the manufacturing units of mainly automobile supply chain in the last three years. Our comments below are based in the real experiences and safety conditions of these 2000+ workers. We need to ensure safe workplace for crores of Indian workers working in the MSME units in manufacturing sector registered or otherwise not only as a Constitutional imperative but as a drive of productivity of Indian workers. Improved safety is good for Indian business in the long run.

High level comments on the Code:

1. The OSH Code should have a **Preamble** to make the vision and objectives of the code very clear. This preamble should emphasize the provisions of the Constitution of India and the various commitments under International conventions.
2. **The OSH code should be in line with OSH policy:** The OSH code should be an overarching document in line with the National Occupational Health and Safety Policy 2009. It should have specifics for:
 1. Safety and health of workers as **fundamental human right**.
 2. Data capturing, analysis and strategies to develop a **comprehensive data base**
 3. Strategies and mechanisms for
 - i. **Preventing accidents**
 - ii. Research and Development
 - iii. Creating awareness
3. **The OSH Code should match Global best practices:** India aspires to be a world leader and “Make In India” is a commitment we have made to ourselves. This should be extended to “**Make in India Safely**”. The OSH code should:
 - a. define Principles of safety for every worker and employee
 - b. define mechanisms accessible for every worker and employee
 - c. mandate upgradation/development of National Safety Standards in details. These should match the best practices globally in the field of Safety and Health.

As examples

1. ILO has defined sectoral codes for Machinery, Agriculture, Iron and steel industry, etc
2. OSH Act of US and Australia’s National Model Health and Safety Act have exhaustive safety and health provisions and management mechanisms.

4. **The OSH Code threshold should be universal in its aim even if it's done in phases:** The Factories Act 1948 and the rules made under the Act by the states are the governing documents to ensure health and safety in manufacturing units having more than 10 workers. The OSH code should be based on principle of universality such that every worker and employee in the country is provided safe workplace. If this is not immediately possible, **universality should be aimed in a phased manner** and such a vision included in the document.
5. **The OSH Code should provide for Standards for MSME:** The OSH code should make a provision for developing OSH standards for the MSME specifically. The standards should be able to take into account the size of company/manufacturing unit for its application.
6. **The OSH Code should include National Standards for Machines:** Machines are a huge cause for accidents (see SII's Accident prevention Report www.safeinindia.org/report-crushed) and should be covered better than the past. There should be dedicated National standards under the OSH code. Our work with injured workers emphasizes the need to have National Safety Standards for Machinery in line with ILO code of practice "**Safety and health in the use of machinery**". These standards should be binding for all machine manufacturers, who intend to sell their machines or purchase machines in India.
7. **The OSH code should promote use of technology to report accidents better to prevent injuries and deaths:** The OSH code has recommended web-based inspections, electronic registers, electronic wage slips etc. Though welcome, the OSH Code should define assistance and alternative systems for the workers who are low in literacy, contractual, migrant and hence vulnerable.

The **Digital India** initiative should be developed to include fool proof reporting of accidents and educating the occupiers, workers, employees about safety at workplace.

8. **The OSH Code should clearly state worker's right to safe workplace:** The OSH code should include a section defining worker's rights in line with the Directive principles of The Indian Constitution and the UN Convention of Human Rights.

The OSH code should provide for

- a) mechanisms for lakhs of workers to feel empowered to report unsafe work practices and accidents at work place confidentially.
- b) Reporting to lead to initiation of preventive mechanisms by the enforcement agencies.
- c) Plan for creating awareness on safe machines, safe working conditions for crores of Indian workers.

Example: The US OSHA standards have a booklet on worker's rights and the workers can report accidents confidentially.

9. **The Code should specifically promote Transparency and Accountability.** These needs to be encouraged and enforced to a much better level through this code. We would recommend a

separate section on this e.g. “The Board will ensure that the key metrics of services provided and the quality of these services, along with deficiencies identified, and actions being taken to constantly improve these services are shared with public on online platforms at least once a quarter”. The provision of section 7 in chapter II requires all Registration information of employers in the public domain and accessible to workers.

10. **OSH Code should be translated in main regional languages for workers:** There is a need to have the OSH Code in all languages to be taken to the workers of the country.
11. **Included Safety Audit Report Formats:** The code should define Reporting formats for both Safety and Working conditions audit.
12. **Safety Audits should include participation of workers:** Workers have to be educated to be able to participate in audits to make the audit process driven bottom up internally in the organization. Safety committees should be promoted in all sizes of the establishments. ILO decent work programme documents a number of such participative initiatives taken in India. The OSH code should include this as a non-negotiable principle.
13. **Include minimum qualification of Safety Auditors:** The OSH code should define the qualification of auditors, norms for number of auditors, trainings and development programs for Auditors to update themselves on the Constitutional provisions, commitment on International conventions, Concepts of Business and Human Rights, International safety standards and cost effective safe Technologies to help employers in MSME prevent accidents.

TABLE 1					
SN	Section/ Sub section / clause/ Proviso of the code	Issue / Problem identified in the Section/Sub section/clause/ Proviso of the code	Proposed change that should be made	Reason for Proposed Change	Remarks if any
1a	Definition u(ii) and v	Factory is defined in two ways	Only the u(ii) definition of factory under the term establishment to be retained.	Definition (v) of factory is specified with reference to aid of power. To make OSH code applicable to all workers in the country, the condition of power and number of workers is redundant.	
1b	Section 2 (zze) and section 76(2)	Definition of Worker (zze) includes sales promotion employees and working journalists 76(2)This includes all the persons working in the factory other than the occupier as worker.	Worker definition to be only one.	The OSH code has to be universal. The workers accessibility to the code will become difficult, if s/he has to prove being a worker under different categories.	
1c	Section 2(p) and (zr)	2(p) defines day as 24 hours. 2(zr) ordinarily employed Average number of persons employed per day = number of man days worked/ number of working days. Since the shift is not defined, how will the a) overtime calculations and b) one shift/two shift calculations be taken into account?	ADD Shift timings need to be defined Nationally	The workers assisted by us share their shift timing as 12 hour shift, which adversely affects their overtime payments and violates present laws for working hours. They are exposed to the danger of being fatigued and hence shift time needs to be defined in the OSH code.	
2	Chapter III	Word worker is not used in this chapter	ADD: workers in addition to employees at all places e.g.	Employer is responsible for the safety and health of the	

TABLE 1					
SN	Section/ Sub section / clause/ Proviso of the code	Issue / Problem identified in the Section/Sub section/clause/ Proviso of the code	Proposed change that should be made	Reason for Proposed Change	Remarks if any
			6(1) a..... to the employees and workers; 6(1) d..... health of the employees and workers;	managing staff, employees and workers.	
3	Chapter V	Word worker is not used in this chapter	23(1) Health and working conditions for the employees and ALL worker including contractual, casual workers	Employer is responsible for the safety and health of the managing staff, employees and workers. Worker includes ALL categories should be defined as National standards keeping in view the commitments made at International conventions.	
4	Chapter VI	No clarity if all contract/casual workers are included	24(1) welfare facilities for ALL workers including contractual, casual workers	Same as above	
5	Chapter VII	Working hours left for appropriate authority	25(1) a and b ... working hours to be defined Nationally	Working hours should be part of National standards keeping in view the commitments made at International conventions. refer 1c above	
6	Chapter IX 39(1)	Secrecy of Information confidentiality clause	ADD 1) The surveys will be used to upgrade OSH systems and Standards 2)The aggrieved person, victim along with his representative should have a right to seek disclosures.	1) The surveys will be carried with Government Resources, so it should be available for upgrading OSH systems and standards in the country 2) We have proposed systems for workers to be able to report unsafe working conditions/accident confidentially. If the survey is carried out as a response to such information, then the	

TABLE 1					
SN	Section/ Sub section / clause/ Proviso of the code	Issue / Problem identified in the Section/Sub section/clause/ Proviso of the code	Proposed change that should be made	Reason for Proposed Change	Remarks if any
				worker has a right to survey outcomes	
7	Chapter IX Section 42(2)	The provision does not mention reporting of accidents	ADD The Medical Officer should get the information of accidents and be able to visit factories in the light of this information. There is a need for one more section that mandates ALL medical practitioners to report occupational disease/hazard /accidents based on patients being treated by them including medico legal cases to the Chief Medical Officer of the jurisdiction, who in turn reports to district magistrate.	In our experience injured workers are treated in small private hospitals sometimes endangering their lives. These cases many times are not reported to the labour Department.	
8	Chapter X section 44 Chapter XI, section 77	Dangerous operation definition not given	ADD Reference to a special schedule on dangerous operations should be defined here.	Presently in the Rules under the Factories Act many states have defined Dangerous operations. The Dangerous operation subject to standards adhered to have to be defined in a specific schedule. Till the standards are not enforced all presently defined dangerous operations in the state laws should be included in the schedule.	
9	Chapter X Section 44	Written consent of woman worker not sought	ADDWomen workers may, with her WRITTEN consent.....	section 27 calls for written consent of workers for overtime.	Thought should be given to the Indian reality of workers being lowly literate. Written consent

TABLE 1					
SN	Section/ Sub section / clause/ Proviso of the code	Issue / Problem identified in the Section/Sub section/clause/ Proviso of the code	Proposed change that should be made	Reason for Proposed Change	Remarks if any
			Duration for which the consent is valid has to be defined for both section 27 and 44.		though desirable is a difficulty. Also the vulnerability of the worker class should be accounted for to identify forced consents.
10	Chapter XI section 84	Right of the worker to be warned about imminent danger should be under all conditions as per OSH policy.	ADD Workers employed..... hazardous CONDITIONS.....	The OSH policy states Health and Safety as a fundamental right.1	
11	Chapter XI section 86(3)	Working time is left to the state Government.	Working time should be defined Nationally	Working hours should be part of National standards keeping in view the commitments made at International conventions.	



Sandeep Sachdeva
 Co-Founder & CEO Safe in India Foundation
Sandeep.sachdeva@safeinindia.org
 +447803783732



CRUSHED **2019**

THE UNFORTUNATE SAGA OF THOUSANDS OF HANDS AND FINGERS
LOST IN THE AUTOMOTIVE INDUSTRY IN GURGAON, INDIA

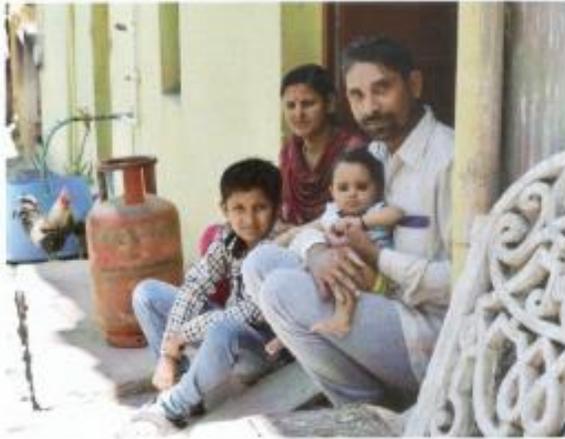
Report prepared by

Safe in India Foundation

www.safeinindia.org

A Hidden World of Hurt and Healing

Tales of injury, despair and hope - and how these automotive factory workers' lives touch us all



Reena enjoys teasing her husband. "I started giggling when I saw him for the very first time," she says. "This was when he was putting a garland around my neck. He was trembling."

"Yes, I was feeling very anxious on my wedding day," **Manmohan Bajpai** confesses bashfully. Reena attempts a playful rescue. "It was February, it was cold. That's why." She chuckles.

Light banter is not what you'd expect in this setting: In a dusty corner of Manesar, open sewers leading to the shanties, we sit in a dimly lit room eight feet by six that houses a family of four on a monthly income of Rs 15,000. An old black kitchen exhaust fan hangs from the ceiling. It's baking inside. Furniture means a bed, interior dec-

oration means a wallpaper of discarded packaging and posters of goddesses and actresses, and kitchen means a corner enough for one person, a cylinder, a stove, and a few jars.

We are here from Safe in India Foundation to speak to workers who got injured while operating machines in automotive parts factories.

If you use a car or a two-wheeler in India, you are connected to this sordid reality.

"It was April 24, 2018. I lost balance and my hand went into the machine," Manmohan recounts. "**When I pulled out, I saw only bones.** I held my hand and ran to security which called HR (Human Resources). They admitted me immediately." They grafted skin from his thigh, and for 31 days stitched his hand to his stomach to help the skin grow. "It was tough for a while because my wife was pregnant and my father had just had a heart attack."

Manmohan is not new to tribulation. He dropped out of his Kanpur school, out of poverty, joined his father in hawking clothes on his cycle, lost money and was in debt. He found work in Noida as a watchman. He saved up money to go back to Kanpur, pay off the debts and resume his business. It failed again, so he moved to Manesar to work in a factory.

He sees tribulation with a degree of emotional resilience that is at once poignant and inspiring. He doesn't blame anyone for the accident. He is pleased with how the company took care of him. "We think positive," he says. "God saved my hand, right?" He was retained by the company where he now weighs chemicals.

Manmohan is among the hundreds of thousands of migrants that work in factories that make automotive parts. One or more of the parts in your car or a two-wheeler are made in a factory that is likely to be hosting this tragedy regularly. If you use a car or a two-wheeler in India, you can't escape the realization that you are connected to this sordid reality.

The real tragedy – and the hope therein too – lies in the fact that these injuries are preventable. Companies need to install safety mechanisms in their machines, workers need to be trained before they are asked to operate on dangerous machines, provided safety gear, and not asked to work excessively long shift under tremendous production pressure. Workers need to be more alert and informed and, should a tragedy occur, factories and ESIC more responsive to healthcare, compensation and rehabilitation.

Among the workers we met, we witnessed several shades of emotions: all the way from Manmohan's buoyancy to Samar's despair and, in between, Sankar Pal and Avinashi Dubey's sobering stoicism.



"I have no fear, I still work on machines, but these injuries should not happen to anyone. This must stop."

hospital so he could not call his aunt. She got to know hours later.

It took months for Samar to learn to live without three fingers. When the company did not take him back, he found work elsewhere, sweeping floors for eight thousand rupees a month. "I can't get married, when a girl looks at my hand, she rejects me," he says. "Who will look after my parents?"

Sankar, 40, a fellow worker who volunteers at Safe in India as a Shramik Saathi, consoles him. "Who knows, you might just find someone someday. Be patient." Some of the injured workers have banded together after they met at Safe in India. They try to help each other in whatever way they can - filling up insurance forms if their fingers allow them to write, helping navigate the policies of ESIC, sharing what the workers and companies can do to add safety measures.

Sankar is optimistic that things will change, though it took him a while when **he lost half his forefinger** in 2016. "It felt hopeless at first. I have two children. I did not inform my wife and my children about the accident. They knew only when I went home for a month."

He explains how SII helped him get Temporary Disablement Benefit, and how he gradually repaired his confidence and emotions. He continues to do the work he used to do, and even received increments a couple of times. "I have no fear, I still work on machines, but these injuries should not happen to anyone," says **Avinash**.

"This must stop." It's about time.

Samar, all of 26, migrated from Unnao to Delhi for work when he had no other choice: His father wasn't around, his brother died of dog bite, and his sister's wedding cost four lakh rupees.

"Yes, a wedding costs the girl's family at least four lakhs now," adds his aunt, Been, who has been taking care of him since he lost three fingers of his right hand when the machine came crashing down. Been, who packs satellite dishes, lives with her daughter Layal, 16, who works in a canteen.

"I did not want to work on that machine. It had injured two workers already," Samar says, describing how when he was home the contractor came and bullied him and took him to the factory. Been says she knows of companies, though thankfully not too many, who coerce their workers, at times even beat them up and not let them leave the factory.

Samar passed out when the machine crushed his fingers. When he awoke in the hospital, in agony, he saw that the doctor was cutting his bone. "Only when I said I was in a lot of pain did they give me injections." He says his phone was stolen from the

Damage to Workers' Bodies in the auto sector supply chain in Gurgaon

Fingers	One lost	548
	Two lost	234
	Three lost	133
	Four lost	73
	Five lost	17
Forearm	Lost (12), Injured, Fractured	150
Hand	Lost (20), Injured, Fractured	89
Shoulder	Fractured	5
Palm	Lost (2), Injured, Fractured	8
Upper Arm	Fractured	1
Eyes	Damaged (1), Injured	3
Head	Injured	1
Leg, Lower Leg, Toe	Lost (12), Injured, Fractured	91
Others	Lost (2), Injured, Fractured	14
		1369



संतोष कुमार गंगवार
Santosh Kumar Gangwar



श्रम एवं रोजगार राज्य मंत्री (स्वातंत्र प्रभार)
भारत सरकार
Minister of State Labour & Employment
(Independent Charge)
Government of India



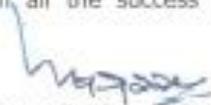
MESSAGE

India has always been a country that has valued all its people equally and our Constitution also provides for fundamental rights to our people.

Our Government has, therefore, introduced a number of well-planned schemes for welfare of people. In this context, I appreciate the concerns about the prevention of accidents in the Indian industry. Workmen are the strength of any industry and we are working for making them stronger, safe and socially secure, so that they can contribute to a happier and more productive society.

The challenges faced by the industry are well understood and we need to help them too to improve safety aspects in their factories. Our industry will gain strategically from each step taken towards safety of workmen and also gain better productivity as the operating culture in factories is being made more and more professional and modern.

I congratulate the Safe-in-India team to draw the attention of stakeholders on this issue and convey my best wishes to those associated with the Safe-in-India team and wish them all the success in their endeavours.


(Santosh Kumar Gangwar)

Dated : 28.06.2019



CONTENTS

1. Executive Summary.....	9
2. About Safe In India Foundation.....	12
3. High Risk Automotive Industry: OEMs need to take leadership in the solution to the problem.....	13
4. Workers without Voice: Analysis of Crush Injuries	15
4.1 Crush Injuries	
4.2 Reasons for these accidents	
4.3 Culprit machines: Power Presses are the worst offenders	
4.4 Profile of workers: Young, migrant, contractual and non-unionized	
4.5 Long Supply Chain: The further away from OEMs, the worse it gets	
4.6 Habitual Offenders: High priority	
4.7 ACMA members: Not much better	
5. Abject Apathy: Non-Compliance with extant Laws, Rules and Regulations	20
5.1 Inadequate compliance with Factory Law Safety Regulations	
5.2 Inadequate pre and post-accident ESIC compliance	
5.3 Inadequate compliance with National Voluntary Guidelines (NVG); new National Guidelines for Responsible Business conduct (NGRBC)	
6. A Diminished Life: Issues Post Accident	23
6.1 Immediate health-care: Less than needed, risking long term health	
6.2 Employment post-accident: Most lose and/or suffer a downgrade of their jobs	
6.3 Loss of limb coupled with un/under-employment: Lifetime of poverty for the family	
7. Make in India Safely: Need for OEMs to take lead	25
8. High level Recommendations	27
8.1 Recommendations to OEMs: Take responsibility to improve the culture of Safety in your Supply Chain	
8.2 Recommendations to Government bodies	
8.3 Recommendations to ACMA/ SIAM (Automobile Component Manufacturers Association/ Society of Indian Automobile Manufacturers)	
8.4 Creation of a Industry level Task Force to improve Worker Safety in Auto Sector Supply Chain	
8.5 Actions committed by Safe In India	
9. Way Forward.....	31
10. Response from OEMs	33
10.1 Engagements with the three OEMs since December 18	
10.2 Engagements with the government on this Report since December 18	
10.3 Engagements with ACMA and SIAM on this report since December 18	
11. Appendices	36
12. Data-Excerpt of 1,369 auto sector workers reported	46

1



EXECUTIVE SUMMARY



EXECUTIVE SUMMARY

It all started in December 2014 with a media report¹: **"Your car has been built on an assembly line of broken fingers"**, which reported 20 cases of lost hands and/or fingers in automotive sector factories every day in just one ESIC (Employee State Insurance Corporation) hospital in Gurgaon. Safe In India Foundation ("SIIF") was created in 2015 to address this problem.

This Report aims to highlight the extent, severity and reasons for these accidents to the Indian auto-sector and to recommend industry and government action to prevent these accidents.

The reasons for these accidents are understandably complex but at the root of them all is a poor safety culture and competitive pressures experienced by auto-manufacturers, which result in relentless chase for production at lowest possible cost in their supply chain, disregarding human dignity and rights.

An overwhelming majority of these auto-sector victims are young migrant contract workers, inadequately represented by Unions, local politicians and legal agencies

Many of these cases are due to illegal practices under Indian Factory Law. Sadly, more than 6 in 10 of these injuries resulted in permanent incapacity, rendering such workers incapable of equivalent employment and future growth, driving their families into vicious cycle of poverty.

Non-compliance extends to ESIC Regulations too. More than half of these workers received their ESIC Cards only *after* the accident, probably after the ESIC process/documents were "managed". Most of these injured workers were first taken to (mostly small) private hospitals for 1-3 days before ESIC hospitals, possibly resulting in sub-optimal treatment and recovery of their damaged fingers/hands.

The key influencers in resolution of this huge problem are the auto-manufacturers (OEMs – Original Equipment Manufacturers) since these lower tier factories are integral to their supply chain. They have a choice to make – **to continue to be part of the problem or become part of the solution.**

This Report recommends a number of **specific actions to start addressing the issue which we have been discussing, for six months now, with the Indian government, its relevant agencies and the three regional OEMs (Maruti, Honda and Hero)**

Analysis of 1369 auto-sector injured workers provided many insights that can help design specific solutions to this problem:

- 93% were making components for **Maruti-Suzuki, Honda or Hero.**
- 83% of machines had **no/malfunctioning safety sensors.**
- 48% of workers felt **excessive production pressure** from supervisors.
- 52% accidents happen on only **one type of machine – the power press.**
- 70% were in lower tiers (2/3/4) of **auto-sector supply chain.**
- 65% were **below 30 years of age** and a similar percentage were contract workers.
- 47% lacked or had **poor quality of safety gear.**

¹ <https://scroll.in/article/692477/your-car-has-been-built-on-an-assembly-line-of-broken-fingers>, which quoted an ESIC Gurgaon doctor "We see about 20 cases of crush injuries every day. In most cases, the fingers are auto-amputated, which means they have been lost even before the worker has come to us. In some cases, the entire hand is lost."

The risks OEMs must consider:

- ❑ **Potential of brand-damage** as the scale and severity of this problem comes to public consciousness.
- ❑ **Potential threat to export business**, as international buyers become aware of this issue.
- ❑ **Potential damage to country's manufacturing image** of "Make in India".
- ❑ **Potential Criminal/Civil negligence** action on these factory owners and resulting supply disruptions.
- ❑ **Threat of class action suits** and/or Public Interest Litigations.
- ❑ **Inadequate compliance with NVG²/SEBI requirements** which need OEMs to improve safety in their "Value Chain", especially those who claim to be socially conscious businesses.

of which Maruti-Suzuki has been the most proactive in starting to take action:

- ❑ **OEMs need to take individual and joint leadership to prevent such accidents** in their supply chain by improving safety culture in these factories through e.g. robust accident reporting, providing commercial incentive and training to more safety-conscious suppliers, while discouraging habitual offender factory owners.

They should also establish a joint task force to harness economies of scale of these actions with ACMA and SIAM. Much of this is already expected under National Voluntary Guidelines (NVGs now NGRBCs) issued by Ministry of Corporate Affairs.

- ❑ **Relevant government bodies can contribute immensely** eg. Targeted usage of ESIC data on accidents to inform effective use of DG FASLI (Directorate General Factory Advisory Services and Labour Institutes) infrastructure, better enforcement of Factory Laws through Industrial Health and Safety, strengthening of NVG

compliance by MCA (Ministry of Corporate Affairs), and appropriate actions by Ministry of Industry.

The first version of this Report with data of 1000+ injured workers was shared confidentially with the boards of three OEMs and the Labour Ministry and its relevant agencies in December 2018. None of them have disputed the findings of this Report and have accepted the premise that this is a real serious issue and needs to be addressed.

By any measure, Indian auto industry is enormous: 4th largest in the world, with annual sales of 4 million+ cars, revenues of USD250bn+, FDI of USD18bn+, contributing 3.8%+ of Indian GDP and employing more than 13m people. The quality of employment in this sector is not only critical to the physical and mental health of millions of India citizens and an important barometer of the country's ethical standards, but also crucial to the long-term success of the industry.

Safe In India Foundation is committed to partnering with OEMs (Original Equipment Manufacturers), Government, Industry bodies, Suppliers and Workers in finding sustainable and pragmatic solutions to this crisis³.

²National Voluntary Guidelines now National Guidelines for Responsible Business Conduct See Appendix 11.4 for details

³This Report is based on the analysis of the 1369 workers of these, who were working in auto-sector supply chain at the time of

12



DATA-EXCERPT OF 1,369 AUTO SECTOR WORKERS REPORTED

Source: These 1369 workers have been supported by SIL. The Red font in the table indicates workers have lost the body part.