
HUMAN RIGHTS IN BUSINESS PRACTICES

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Abstract :

Respect for human rights is a key vehicle through which business can help achieve the broader vision of peaceful and inclusive societies embraced by the Sustainable Development Goals (SDGs). When people think of business-related human rights abuses, they may think of sweatshops in other countries, where child labor and unsafe working conditions are commonplace. Of course, Indian companies need to monitor their supply chain closely, but companies can influence the human rights of people at home and abroad in more subtle ways. Businesses that do business online must respect people's privacy rights and comply with data protection laws. All companies have a duty to ensure safe working conditions for their colleagues. This paper based on various human rights are applicable at business place and how the Indian companies follows and protect it. The case study method is used in this research paper. after studying the various issue we can conclude that there is needful amended of present laws to protect the human rights at workplaces.

Keyword: Human right, Business, Workplace, Protection of law, working Condition, economic development.

Introduction:

Recently India is a largest country in the world home of billions of people which is largest democracy of world. Now India is in a phase of rapid economic development, but the difference of business actions and the rights of citizens in India is clearly visible, there are many exploited workers lacking appropriate access to remedy. Yet the Indian constitution robustly supports human rights at working places. India has recently legislated several rights-based laws with far reaching impact, some of the Right to Education Acts and Right to Information as well as National Voluntary Guidelines released by the Ministry of Corporate Affairs, but still, lots of Indian business whether it is big or small are fail to understand their responsibility toward the human being.

The National Human Rights Commission (NHRC), is the statutory body responsible for the protection and promotion of human rights in India, along with special commissions such as national commissions for women, minorities, backward classes, scheduled castes, scheduled tribes and the protection of child rights. As and when required, Indian law makers have adopted laws to protect citizens that are at high risk of human rights abuse. There are particularly three laws are noteworthy for doing the business in India. Which are Sexual Harassment of Women



in the Workplace (Prevention, prohibition and Redressal) Act (SHWW Act), 2013, Protection of Children from Sexual Offences (POSCO) Act, 2012 and Decriminalization of homosexuality and recognition of transgender as a 3rd gender in a landmark.

In order to protect the guidance on what constitutes responsible business conduct, the Ministry of Corporate affairs release a guideline in 2011 name as the National Voluntary Guidelines on the Social, Environmental and Economic Responsibilities of Business (NVGs). In order to align with the Sustainable Development Goals (SDGs) and the United Nations Guiding Principles on Business and Human Rights (UNGPs), the NVGs were revised, upgraded and released in 2019 as National Guidelines on Responsible Business Conduct (NGRBC). As with the NVGs, the NGRBC is designed to assist businesses in performing above and beyond the requirements of regulatory compliance. Side by side the Government of India has committed to develop a National Action Plan (NAP) on Business and Human Rights by 2020. Some of forward-thinking companies have released their human rights policies publicly and are working on aligning their implementation processes to national and international standards, principles and guidelines. But number of such companies are very few. NGRBC has nine principle out of which third principle 'Businesses should respect and promote the well-being of all employees, including those in their value chains' and fifth principal 'Businesses should respect and promote human rights.' are mainly working and beneficial to human rights.

COVID 19 and Violation of Human Right in India :

1) Abuse of right to health and life :

During COVID-19 Health workers worked tirelessly, risking their lives but they are still underpaid. And on the other hand the private hospitals charged exorbitant fees from the patients in the pandemic. We all witness of that the COVID-19 worked as 'Dhan Kuber' for the some of private business, they were hoarded basic safeguards against coronavirus like masks, sanitiser, gloves and PPE kits and later sell them at exorbitant prices. Further, in India medicines like Remdesivir were sold in the black market, making them out of reach of the common man, this can not be possible without the support of internal. To add more to the injury, fake vaccines and sanitizers were also introduced in the market during COVID-19, bunch of lawful cases are register some of them are finalized but still there are huge number of cases are still under proceedings.

2) Abuse of right to work :

Spread of COVID-19 changed that life of workers and middle class drastically, as per report of "Centre for Monitoring Indian Economy CEO Mahesh Vyas has said that over 10 million or 1 crore people lost their jobs because of the second wave of coronavirus. This 10 million workers around the India have been directly impacted. They have lost their job, millions are underpaid salary or are forced to work for longer or shorter durations or their incentives have been cut down. Only government employees are paid properly but private sector employee are started to throw out their pillers one after another on the basis of they are making loss.



3) 10 month Non Payment of Contractual CHB Worker by Maharashtra Government :

Before COVID 19 there are 30,000 to 40,000 CHB lecturer worked for the Govt of Maharashtra but all of them not get little panny from month of April 2020 January 2021 to Govt Of Maharashtra. During COVID-19 the actual teaching is done by CHB Lecturer and the government of Maharashtra willful ignore it.

4) Non-Arrangement of Food, Cloths and Shelters during First Lockdown:

During first lockdown of COVID-19 The government sit and act as a watchman as it used to in the Laissez Faire policy. If the government act the protector of the people and their right they the such amount of misshaping not be done during that period.

Conclusion :

From the above study it can be said that the government whether it is central or state is more liberal toward the business enterprises, further there is acute need of serious planning of disaster management, in government department itself. Failure of judicial system is one of big reason of unhealthy human rights practices done by business enterprises during COVID-19 and after it. There is need of serious efforts from the government itself to stop such abusing behaviour towards the persons working for the government on contractual basis.

Role of the Government :

The first and foremost duty of the government is to be proactive and prevent any abuse of human rights in its own business operations or of any third party. The government is duty-bound to foresee any potential risk to the enjoyment of human rights by any business activity. If there is any impending abuse of human rights then the government should address the same promptly. The government should be extremely careful in business operations in conflicted and high-risk areas as the chances of human rights abuse are extremely high. The government has to safeguard people not only from external aggression but also from the internal passive abuses in the form of economic development.

The government cannot ignore the impact on human rights while encouraging economic developments. The government is the knight in armour for the people to protect themselves against giant business enterprises. Government shall be more supportive to the working people instead of business enterprises.

Role of the businesses enterprises :

Private Businesses are operating to make profits, business earn profit years of years continuedly but when we read the various reports as how those business are layoff their employee by giving the reason of loss or abusing them to work on lower pay was the cases of human right violation, such cases was not register any where. But they cannot abuse human rights or hinder the enjoyment of human rights in their operations. Such violation will lead them to lawsuits, loss of goodwill and investments, heavy penalties or cancellation of license



or winding up of their operations. To sustain for a longer time, businesses should operate in coordination with human rights.

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