

TATA CONSUMER PRODUCTS LIMITED

RESPONSE FROM TATA CONSUMER PRODUCTS

30 August 2023

Thank you for requesting our comment on the mix of news reports shared with us.

We have an established procedure in place to investigate and act on any report which suggests a failing in the protection of human rights. No matter the level of severity, we apply the same investigative rigour to each report we receive.

Our team of buyers make direct contact with the suppliers involved to understand the issue, the context and background to it; immediate actions taken; details of remediation; and information on timed actions to mitigate the risk of a repeat incident.

In addition to supplier responses, we consider feedback from our buyers on what they have witnessed first-hand during most recent buying visits. If appropriate and logistically feasible, a buyer from our regional offices will also visit an estate to provide additional insight and feedback.

At the earliest opportunity appropriate third-party partners such as the Ethical Tea Partnership and Rainforest Alliance are requested to provide assessment from their in-country experts; and co-ordinate any industry-wide response/action considered necessary.

Depending on the severity of the instance reported, results of the investigations are escalated for review by our human rights working group and a decision made on what additional action should be taken by the business.

From the reports provided to us we can report the following:

Luxmi North India - Lepetkata Tea Estate Worker Protest

"Tea plantation workers staged protest in Dibrugarh district", 13 December 2022, *The Sentinel Assam*: <https://www.sentinelassam.com/north-east-india-news/assam-news/tea-plantation-workers-staged-protest-in-dibrugarh-district-627770>

BACKGROUND & CONTEXT

Land from Lepetkata Tea Garden was allocated for a National Highway Road widening project and the 'Brahmaputra Cracker & Polymer Ltd' factory which forms part of a development initiative by the Central & State Governments.

FEEDBACK

Our research suggests that the news report contains inaccuracies. We have discovered that the land from the tea garden allocated to this project was not productive, containing aging tea bushes.

We have been assured that there was no retrenchment of workers and that those who worked on this land are now productively employed in the rest of the tea estate operations.

The information we have received suggest that the project generated significant employment opportunities for educated young people in the region and boosted ancillary businesses in close vicinity.

We have also been advised that in line with the Government of Assam initiative to develop Eco Tourism, the land, plus adjoining vacant land is being considered for an Eco-Tourism project with the balance to be allocated for replanting post adequate rehabilitation. The proposed development of Eco-tourism project is expected to generate far higher employment opportunities for the local populace and will encourage entrepreneur business growth in the region.

Our buying team shall follow up these reports to review progress and the impact of the developments and changes.

Luxmi North India - Lepetkata Tea Estate

"Factory worker injured in Tinsukia; tea garden manager's arrest demanded", 10 Mar 2023, *The Sentinel Assam*:
<https://www.sentinelassam.com/north-east-india-news/assam-news/factory-worker-injured-in-tinsukia-tea-garden-managers-arrest-demanded-640524>

BACKGROUND & CONTEXT

This article relates to a factory incident which occurred in July 2022 where a girl was seriously injured having inadvertently crossed a demarcated safety line to sweep under a machine.

We are aware that at the time of the accident immediate action was taken to provide medical attention to the worker, first at Dibrugarh central hospital and later at Guwahati central hospital.

100% monetary compensation was given in line with Workmen compensation laws, and Luxmi have continued to care for the worker since the incident happened. Luxmi tea has ensured that the livelihood earnings of her and her family have been secure through the period of her treatment and daily rations provided.

More recent press reports, 6 Feb 23, report the worker leaving Guwahati Hospital supported by officials and representatives from Luxmi.

We have been advised that the move to a garden hospital in Lepetkata was arranged with a medical representative where her recovery and recuperation continues with the support of Luxmi.

The worker and her family are taken for regular check-ups at the Guwahati Hospital with ambulance transfer arranged by the garden for the worker and their family. At the second visit 12 June 23, Dr Kavita a leading doctor in the region for cosmetic, plastic and reconstructive surgery was satisfied with the healing.

The garden medical representatives attend each visit to ensure that they understand the progress report given.

ACTION TAKEN

This is a distressing incident for all those involved. From our investigations and the evidence provided we have been satisfied with the commitment shown by Luxmi to be open with us about information relating the accident and subsequent actions taken.

We have been informed and seen evidence of different activities implemented by Lumix focussed on Occupational Safety & Health management. Regular safety training workshops and awareness programmes are being instituted at all estates, conducted by quality consultants Cotecna & IRQS certifying bodies.

In line with our investigative practice, we reached out to third-party partners for their independent assessment to ensure the reported actions taken were considered robust and adequate to mitigate future risk considered adequate.

After a previous issue, changes to the Trustea Code regarding the requirement for accidents to be registered and recorded were requested and were subsequently strengthened in Version 3 of the code.

As a result, under chapter S3 – Occupational Health and Safety (S 3.9), there is now zero tolerance for statutory reporting of workforce accidents. If a factory or estate does not document an incident, they will be decertified.

Trustea has also posted a Deputy Manager for Program Implementation dedicated to the Assam region.

Mr. Muktajyoti Barua, deputy factory manager from Amalgamated Plantations joined the Trustea Secretariat on 10th April and is now posted in Dibrugarh for closer on the ground programme implementation and compliance.

Additionally, Trustea has a provision for System Assurance Audit and will execute an additional audit before the end of the calendar year.

McLeod Russel North India Dufflaghur Tea Estate

- A worker was killed in an accident involving heavy machinery in the tea estate's factory. Police have launched an investigation.
- "Assam: Tea Garden Employee Tragically Dies in Freak Accident Inside Factory", 10 July 2023, Praditin Time:
<https://www.pratidintime.com/latest-assam-news-breaking-news-assam/assam-tea-garden-employee-tragically-dies-in-freak-accident-inside-factory>

BACKGROUND

In line with our procedures to investigate such instances we have liaised with our supplier for full information relating to the tragic accident, immediate response and subsequent measures being put in place.

The information we have obtained advises that the tragic accident occurred at Dufflaghur T.E. factory at approximately 10.30 am IST, on Monday the 10th of July, 2023, resulting in the loss of life of a permanent worker.

There is no manufacture of teas on a Monday and the day is allocated to the servicing and maintenance of the factory.

Shri Sukman Munda, who worked as a Mason helper in the factory, was tasked with repairing the masonry of the Coal Stove located outside the factory building, with Shri Akloo Gorait. The pair worked together until approximately 08.30 am IST after which Shri Sukman Munda left his designated work area and was missing from work.

Shri. Ritick Lakhra, was deputed to service the ECP drier located within the factory. During the routine service he switched on the ID fan of the dryer at approximately 10:30 am IST. Hearing a loud, abnormal sound he immediately turned the fan off and reported the issue to the fitter, Sri. George Robertson & the Factory Assistant.

Following standard operating protocol, the estate medical team was informed and the Doctor along with his team reached the site immediately.

During the inspection of the duct of the ID fan outside the factory, a person's leg was observed to be trapped in the duct. The Management immediately informed the police.

IC Ghahigoan Police Outpost arrived at the site within 15 minutes. The ducting was opened in the presence of IC Ghahigoan Police Outpost, revealing the dismembered body of Shri Sukman Munda. Subsequently, the police took custody of the body in line with their procedures and postmortem examination.

ACTION

We have been given a comprehensive response to our enquiries and are aware that The Management promptly notified the Police, Chief Inspector of Factories, the local Factories Inspector, Assistant Labour Commissioner/Commissioner for Employees Compensation, and the Medical Inspector of Plantations.

Additionally, Form No.18, required by the Factories Act and Rules, was submitted to the Chief Inspector of Factories and other Authorities.

Form EE was submitted to the Assistant Labour Commissioner/Commissioner for Employees Compensation.

The Assistant Labour Commissioner/Commissioner for Employees Compensation visited the Estate on the evening of July 10th, assessed the site, and provided their statement to the local police.

The Additional Deputy Commissioner, Gohpur also visited and assured a compensation amount of Rupees Two Lakhs to be given to the next of kin of the deceased from Government sources.

In addition, we have been provided with a summary of the steps taken by the Estate Management:

The steps taken by the Estate Management:

1. As advised above, reporting of the incident, as applicable under law, to the Chief Inspector of Factories, the local Police Authorities and the Employees Compensation Commissioner.
2. Provision of immediate monetary relief to the family by way of meeting funeral expenses and other necessary support.
3. Provision of monetary relief by way of payment of one month's wages and ration to his family as interim-ex gratia relief.
4. Payment of the Employees Compensation due amounting to Rs. 8,42,116.00 as awarded by the Employees Compensation

Commissioner. This has been handed over to the Employees Workmen Commissioner, as mandated by law, for onward transmission to the next of kin.

5. Provision of employment to any eligible member of the family as selected by them in lieu of Sri. Sukman Munda to allay future economic hardship.

MRIL Lines of Inquiry/Investigation and Preventive Steps

We have been informed of the inquiries being made and mitigation measures that are being heightened. Our buying team shall follow up these reports to monitor progress.

1. The primary line of inquiry is being undertaken by the State Police under the Indian Penal Code.
2. The State Labour Department, specifically, the Factories Department is also conducting an inquiry.
3. The Management has conducted its own inquiry but has not been able to reach a definite conclusion as to why a person should be inside the airduct which was not his assigned place of work. There was no reason for the deceased to be inside the factory building or anywhere near the drier, especially as Monday is the maintenance day of the factory. There was no expectation that a person will be inside the airduct of the drier which was not his assigned place of work.
4. To improve safety in the factory the Management has:
 - a) Installed CCTVs in the area and other parts of the factory to monitor the area.
 - b) Assigned an additional Guard to man the area and restrict ingress and egress to authorized persons only.
 - c) The Guards already present have been questioned and have been warned to increase their level of alertness.
 - d) Immediate health and safety training was conducted for all factory personnel in addition to the normal level of training provided.

Namdang Tea Estate – North India

- A factory worker sustained a serious injury, allegedly due to negligence on the part of factory management.
- “Factory worker injured in Tinsukia; tea garden manager’s arrest demanded”, 10 Mar 2023, The Sentinel Assam: <https://www.sentinelassam.com/north-east-india-news/assam-news/factory-worker-injured-in-tinsukia-tea-garden-managers-arrest-demanded-640524>

BACKGROUND

In line with our normal procedures this shocking story has been investigated by us.

We have been advised that the news report contains several inaccuracies and relates to Samdang Tea Estate which is located at Doomdoom.

Namdang Tea Estate is located at Margherita and is owned by McLeod Russel Limited not MK Shah Export Limited as reported.

There has been no reported accident at Namdang Tea Estate.

Sri Lanka – Bagawantalawa Tea Estates PLC – Bridwell Tea Estate

- A worker sustained serious injuries after being attacked by a leopard. Workers reportedly live in constant fear of attacks by wild animals roaming into estates.
- “Estate worker attacked by leopard in Bogawantalawa”, 29 May 2023, *Daily Mirror*: https://www.dailymirror.lk/front_page/Estate-worker-attacked-by-leopard-in-Bogawantalawa/238-260025

ACTION

We have been provided information and additional evidence showing the Estate has covered medical expenses and transport to treatment at Dickoya Hospital for the worker; sick leave has been granted and Workmen Compensation applied for.

A thorough risk assessment was conducted, and additional awareness training arranged with the wildlife department and wildlife nature protection society.

This has been followed up by field visits by the officers of the wildlife department, Nallathanniya Range Office.