

**GOVERNMENT OF INDIA
MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES
DEPARTMENT OF PUBLIC ENTERPRISES**

**RAJYA SABHA
STARRED QUESTION NO. 156*
TO BE ANSWERED ON THE 27th DECEMBER, 2018**

Submission of Annual returns of CPSEs

***156. SHRI MAHESH PODDAR:**

Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state:

- (a) the number of Central Public Services Enterprises (CPSEs) which have not submitted their annual returns for a period of three years or more;
- (b) whether any guidelines have been issued by Government for enforcing the compliance of Section 164(2) of the Companies Act, 2013 by CPSEs;
- (c) whether an exemption from Section 164(2) to CPSEs encourages directors to become lackadaisical in fulfilling their compliance requirements; and
- (d) the status of the report of the committee constituted for suggesting changes or modifications in the Department of Public Enterprises guidelines relating to Board of Directors of CPSEs and Corporate Governance?

A N S W E R

**THE MINISTER FOR HEAVY INDUSTRIES AND PUBLIC ENTERPRISES
(SHRI ANANT G. GEETE)**

(a) to (d) : A statement is laid on the Table of the House.

Statement referred to in reply to Rajya Sabha Starred Question No. *156 for answer on 27.12.2018 regarding Submission of Annual returns of CPSEs

(a) : As per available information, of the existing 339 Central Public Sector Enterprises (CPSEs), only five CPSEs, namely, (i) Scooters India Limited, (ii) North Eastern Regional Agricultural Marketing Corporation Limited, (iii) British India Corporation Limited, (iv) Indian Drugs and Pharmaceuticals Limited and (v) North Eastern Handicrafts and Handloom Development Corporation Limited have not submitted their annual returns for a period of three years or more.

(b) : As per information made available by the Ministry of Corporate Affairs, the provisions of Section 164(2) of the Companies Act, 2013 are not applicable to the Government companies.

(c) : As only five CPSEs of the existing 339 CPSEs have not furnished their annual returns, the question of exemption from Section 164(2) encouraging directors of CPSEs to become lackadaisical in fulfilling their compliance requirements does not arise.

(d) : The Department of Public Enterprises (DPE) had constituted a Committee of Company Secretaries of select CPSEs to suggest changes/modifications in the DPE guidelines relating to Board of Directors of CPSEs and Corporate Governance. The Committee has submitted its report and on the basis of recommendations of the Committee, the format for grading CPSEs on the basis of their compliance with DPE guidelines on Corporate Governance for CPSEs has been revised.
