

GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS
RAJYA SABHA
UNSTARRED QUESTION NO. 666
ANSWERED ON TUESDAY, FEBRUARY 8, 2022
CSR MONEY SPENT

QUESTION

666 SHRI K.R.N. RAJESHKUMAR:

Will the Minister of CORPORATE AFFAIRS
be pleased to state:

- (a) the details of the amount spent by various corporate companies including Public Sector Undertakings (PSUs) and Public Sector Enterprises (PSEs) under the Corporate Social Responsibility (CSR) during each of the last three years and the current year;
- (b) whether Government is aware that several companies have established Non-Governmental Organisations (NGOs) to spend their CSR funds and are thereby misusing the provisions of the CSR policy;
- (c) if so, the details thereof, company-wise; and
- (d) whether Government has formulated any scheme to review the works done by them, if so, the details thereof?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION; MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF PLANNING AND MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS

[RAO INDERJIT SINGH]

(a): On the basis of filings made by the Companies in the MCA21 registry, the Corporate Social Responsibility (CSR) spent by various public and private sector companies during the financial years 2018-19, 2019-20 and 2020-21 is given below:

Nature of Company	FY 2018-19		FY 2019-20		FY 2020-21	
	No. of Companies	Total Amount Spent (in Cr.)	No. of Companies	Total Amount Spent (in Cr.)	No. of Companies	Total Amount Spent (in Cr.)
Public Sector Undertakings (PSUs)	615	4206.30	452	5241.57	20	561.18
Non-PSUs	24484	15943.97	22079	19447.09	1599	8266.93
Grand Total	25099	20150.27	22531	24688.66	1619	8828.11

(Data upto 30.09.2021) [Source: National CSR Data Portal]

Regarding CSR data for the financial year 2020-21, it is informed that the companies are required to hold Annual General Meeting (AGM) within six months from the end of financial year. Thereafter, financial statements and board report containing disclosure about CSR, are to be filed in MCA21 within 30 days of the AGM. In view of the disruption caused by COVID-19 pandemic, Registrars of Companies had accorded extension of time till 30th November, 2021 for conduct of AGMs by companies. The Ministry vide General Circular No. 22/2021 dated 29.12.2021 has relaxed the levy of additional fees till 15.02.2022 for filing of financial statement in respect of the financial year 2020-21. Further, financial statements for the ongoing financial year 2021-22 are required to be filed only after the end of financial year.

(b) & (c): Section 135 of the Act read with Rule 4 of the Companies (CSR Policy) Rules, 2014 prescribes that the Board of the company is empowered to undertake CSR activities either by itself or through engaging an implementing agency, namely:

- i). a company established under section 8 of the Act, or a registered public trust or a registered society, registered under section 12A and 80 G of the Income Tax Act, 1961 (43 of 1961), established by the company, either singly or along with any other company, or
- ii). a company established under section 8 of the Act or a registered trust or a registered society, established by the Central Government or State Government; or
- iii). any entity established under an Act of Parliament or a State legislature; or
- iv). a company established under section 8 of the Act, or a registered public trust or a registered society, registered under section 12A and 80G of the Income Tax Act, 1961, and having an established track record of at least three years in undertaking similar activities.

(d): Under the Act, CSR is a Board driven process and the Board of the company is empowered to plan, decide, execute and monitor CSR activities based on the recommendations of its CSR Committee. The CSR framework is disclosure based and companies are required to file details of CSR activities annually in the MCA21 registry. The CSR mandated companies are required to provide additional information in their Profit & Loss Account regarding the amount of expenditure incurred on CSR activities and the same is required to be audited by the statutory auditors of the company. Further, the Board of the company is also required to disclose the CSR Policy implemented by the company in its Board report. Thus, the corporate governance framework along with the existing legal provisions such as mandatory disclosures, accountability of the CSR Committee and the Board, provisions for statutory audit of accounts of the company etc. provide adequate scope to review the works done by them.
