

**GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS
LOK SABHA
UNSTARRED QUESTION NO. 1945
ANSWERED ON FRIDAY THE 21st DECEMBER, 2018
AGRAHAYANA 30, 1940 (SAKA)
COMPLIANCE OF CSR**

QUESTION

1945. SHRI DEVJI M. PATEL:

**Will the Minister of CORPORATE AFFAIRS
be pleased to state:**

कारपोरेट कार्य मंत्री

(a) whether some private companies and multinational companies like Apple India, Pfizer and Nestle India are insensitive towards society as the Oracle Financial Services spent only Rs. 32.95 crore, Apple India spent only Rs. 1.12 crore against a prescribed amount of Rs. 5.45 crore and BMW India spent only Rs. 0.02 crore against a prescribed amount of Rs. 0.47 crore;

(b) if so, the details thereof and the action taken by the Government against such private and multinational companies for not fulfilling their responsibilities under the Corporate Social Responsibility (CSR); and

(c) whether the Government has taken any concrete step to make these companies accountable towards society and if so, the details thereof?

ANSWER

**MINISTER OF STATE FOR LAW AND JUSTICE
AND CORPORATE AFFAIRS**

(SHRI P. P. CHAUDHARY)

विधि और न्याय एवं कारपोरेट कार्य मंत्रालय में राज्य मंत्री

(श्री पी० पी० चौधरी)

(a): As per the data obtained from the filings made by the companies upto 30.06.2018 in the MCA 21 registry for the financial years 2014-15, 2015-16 and 2016-17, the expenditure made by the subject companies on CSR is given in the Table below.

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(Rs. In Crore)

Particulars	FY 2014-15		FY 2015-16		FY 2016-17	
	Prescribed Amount	Amount Spent	Prescribed Amount	Amount Spent	Prescribed Amount	Amount Spent
Apple India Private Limited	5.45	1.12	4.81	9.26*	6.70	8.41
BMW India Private Limited	2.11	2.12	1.82	1.83	1.89	1.95
Oracle Financial Services Software Limited	32.95	11.93	33.44	24.85	33.53	33.72
Pfizer Limited	6.02	1.29	6.25	6.44	7.04	7.88
**Nestle India Limited	30.7	8.51	33.29	20.61	28.33	31.36

* includes unspent amount of Rs. 4.32 crore for the FY 2014-15.

** accounting year is calendar year.

Section 135 (3) & (4) of the Companies Act, 2013 ('the Act') empowers the Board of the company, and its CSR Committee to select programmes/ projects/ activities to be undertaken, allocation and utilization of CSR funds towards such activities. The Act provides the Board of a company to specify reasons for not/under spending the prescribed Corporate Social Responsibility amount and disclose the same in its Board Report.

(b)&(c): Whenever, violation of CSR provision is detected, the Registrar of Companies initiates action against such non-compliant companies after due examination of records. Further, 295 prosecutions have been sanctioned for the financial year 2014-15 and 33 companies have filed application for compounding for the same year. On the basis of scrutiny, call for information letters to 5,382 companies have been issued for the financial year 2015-16. Ministry has established Centralized Scrutiny and Prosecution Mechanism in April, 2018 for the financial year 2015-16 onwards on pilot basis for enforcement of CSR provisions.
