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With this thought, we hereby present to you

# **CORPORATE SOCIAL RESPONSIBILITY AND ITS LEGAL MANDATE: AN EVALUATION UNDER COMMERCIAL LAW FRAMEWORKS**

AUTHORED BY – DEEPALI

## **ABSTRACT**

Corporate Social Responsibility (CSR) has undergone a profound transformation over the past few decades, evolving from a voluntary and largely discretionary activity into a legally mandated obligation in several jurisdictions. Originally, CSR was viewed as an ethical pursuit, grounded in the idea that corporations, while pursuing profit maximization, had a moral responsibility to contribute positively to society. Businesses engaged in philanthropic activities, community development, and environmental conservation primarily as part of their broader ethical commitments or brand-building strategies, with no binding legal compulsion. However, as global awareness regarding social justice, environmental sustainability, corporate governance, and stakeholder rights grew, the expectations placed upon corporate entities intensified considerably. Societies around the world began to demand that corporations, especially those deriving significant wealth and influence from economic systems, also act as key contributors to addressing social, economic, and environmental challenges.

In this context, India has emerged as a global leader in mandating CSR through statutory mechanisms. The enactment of the Companies Act, 2013, particularly Section 135, marked a historic moment by making CSR expenditure a compulsory obligation for qualifying companies. This legislative initiative was further refined and expanded through subsequent amendments, most notably the Companies (Corporate Social Responsibility Policy) Amendment Rules, 2021, and more recently, the Companies (Corporate Social Responsibility Policy) Amendment Rules, 2024. The 2024 amendments introduced critical reforms such as mandatory independent impact assessments for large CSR projects, stricter timelines for transferring unspent CSR funds, and enhanced accountability mechanisms for implementing agencies, reflecting a clear governmental intent to move beyond mere financial allocation towards ensuring measurable and sustainable social impacts.



## **KEYWORDS**

Corporate Social Responsibility (CSR), Commercial Law, Companies Act 2013, CSR Legal Mandate, CSR Policy Amendment Rules 2024, Corporate Governance, Sustainable Development, Business Ethics, Corporate Accountability

## **INTRODUCTION**

The modern corporation has witnessed a significant redefinition of its role in society. Traditionally viewed as an economic entity primarily concerned with the maximization of shareholder value, today's corporation is increasingly recognized as a multifaceted institution with profound societal responsibilities. This shift reflects a broader understanding that corporations, by virtue of their resources, influence, and reach, are uniquely positioned to contribute to the advancement of social, economic, and environmental objectives. In this context, Corporate Social Responsibility (CSR) has emerged as a critical concept, encapsulating the evolving expectation that businesses must pursue not only their commercial interests but also engage in initiatives that address societal needs and promote collective well-being.<sup>1</sup>

Historically, CSR was conceptualized as a voluntary commitment wherein corporations undertook philanthropic activities and community development projects as an extension of ethical business practices. These initiatives were largely discretionary, motivated by the desire to enhance corporate reputation, build customer loyalty, or fulfill moral obligations to society. Corporations that engaged in CSR were lauded as forward-thinking and socially conscious, but there existed no binding requirement compelling such engagement. The voluntary nature of CSR meant that its scope and scale varied widely across industries and regions, often reflecting the priorities and resources of individual corporations rather than any coordinated societal or regulatory agenda.<sup>2</sup>

However, the landscape surrounding CSR began to change dramatically with the rise of social consciousness, the increasing visibility of environmental degradation, and growing concerns over corporate governance and ethical business conduct. Public scrutiny intensified as stakeholders—including consumers, investors, civil society organizations, and governments—

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<sup>1</sup> Sanjai Bhagat, R. Glenn Hubbard, “*Should the Modern Corporation Maximize Shareholder Value?*”, 2020.

<sup>2</sup> Jason Fernando, “What Is CSR? Corporate Social Responsibility Explained”, available at: <https://www.investopedia.com/terms/c/corp-social-responsibility.asp> (last visited on- April 20, 2025).



demanded greater transparency, accountability, and responsibility from business enterprises. Environmental crises, such as climate change, biodiversity loss, and pollution, further underscored the urgent need for corporate actors to participate actively in sustainable development. Concurrently, social movements advocating for human rights, labor rights, and economic justice highlighted the indispensable role that corporations must play in promoting equitable and inclusive growth. These developments collectively propelled CSR from a purely voluntary act to, in several jurisdictions, a formal legal obligation embedded within the broader framework of commercial laws.<sup>3</sup>

In this evolving global milieu, India's Companies Act, 2013, marked a pioneering step by making CSR a statutory obligation for certain categories of companies. Section 135<sup>4</sup> of the Act was groundbreaking in that it not only defined eligibility thresholds based on net worth, turnover, and profit but also mandated a minimum expenditure on CSR activities. This legislative move was not merely about enforcing charitable giving; it reflected a larger vision of integrating business entities as active partners in national development. The statutory framework introduced under the Act sought to institutionalize CSR practices through structured mechanisms, including the requirement for companies to form CSR Committees, adopt formal CSR policies, and disclose their CSR activities and expenditures in public domains such as annual reports and company websites.<sup>5</sup>

Moreover, the regulatory framework surrounding CSR in India has continued to evolve to ensure that corporate contributions translate into meaningful societal impact. Subsequent amendments, particularly the Companies (Corporate Social Responsibility Policy) Amendment Rules of 2021 and 2024, have strengthened the framework by introducing mandates for impact assessment, setting strict compliance requirements regarding the treatment of unspent CSR funds, and tightening the regulatory standards for implementing agencies. These developments underscore a clear policy objective: to move CSR beyond superficial compliance and foster a more accountable, transparent, and impact-oriented CSR ecosystem.<sup>6</sup>

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<sup>3</sup> Evanthia K. Zervoudi, "From the Corporate Social Responsibility (CSR) and the Environmental, Social and Governance (ESG) Criteria to the Greenwashing Phenomenon: A Comprehensive Literature Review About the Causes, Consequences and Solutions of the Phenomenon with Specific Case Studies", 2025.

<sup>4</sup> The companies Act, 2013, S.135.

<sup>5</sup> Mayashree Acharya, "Corporate Social Responsibility Under Section 135 of Companies Act 2013", available at: <https://cleartax.in/s/corporate-social-responsibility> (last visited on- April 20, 2025).

<sup>6</sup> Mr. Kaushal Parmar, Dr. Kavita Sindhav, "Corporate Social Responsibility In India: Evolution, Compliance, And Future Directions", Vol. 27 No. 5S (2024).

## **CONCEPTUAL FRAMEWORK OF CSR**

Corporate Social Responsibility (CSR) today embodies a multifaceted concept that goes far beyond traditional notions of corporate philanthropy. It encompasses the responsibility of business enterprises to actively contribute to sustainable economic development while simultaneously enhancing the quality of life of their employees, the local communities in which they operate, and society at large. At its core, CSR is founded on the principle that corporations, as integral actors within the socio-economic fabric, owe accountability not only to their shareholders but also to a broader and more diverse group of stakeholders. These stakeholders include employees, customers, suppliers, investors, local communities, and the environment, each of whom is affected directly or indirectly by corporate operations. The underlying ethos of CSR is that corporate success should not be measured solely by financial performance but also by the entity's ability to generate positive social and environmental outcomes.<sup>7</sup>

In its early stages, CSR was predominantly perceived as a voluntary exercise, undertaken at the discretion of corporate leadership. Motivations for engaging in CSR activities varied widely, ranging from a genuine commitment to social good to strategic considerations aimed at enhancing brand reputation, fostering consumer loyalty, mitigating business risks, or forestalling potential regulatory interventions. CSR efforts in this period often took the form of ad hoc charitable donations, sponsorship of community events, or support for educational and health initiatives, usually disconnected from a company's core business strategy. While these efforts were undoubtedly valuable, their voluntary nature meant that CSR initiatives were inconsistent, sporadic, and often difficult to measure or evaluate in terms of long-term societal impact.<sup>8</sup>

Over time, however, the understanding and expectations surrounding CSR evolved significantly. Corporations began to recognize that responsible business conduct required more than occasional acts of charity; it demanded sustained, long-term commitments toward ethical labor practices, environmental sustainability, community empowerment, transparent governance, and responsible consumer relations. This broader and more strategic conception

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<sup>7</sup> Sharofiddin Ashurov, Osman Sayid Hassan Musse, "Evaluating Corporate Social Responsibility in Achieving Sustainable Development and Social Welfare", 2024.

<sup>8</sup> Gregor Pfajfar, Aviv Shoham, "Value of corporate social responsibility for multiple stakeholders and social impact – Relationship marketing perspective", Volume 143, April 2022, Pages 46-61.

of CSR emphasized integrating social and environmental concerns into everyday business operations and decision-making processes, aligning business success with societal progress.<sup>9</sup> The development of international frameworks played a pivotal role in shaping and standardizing CSR expectations globally. Instruments such as the United Nations Global Compact, launched in 2000, articulated a set of ten principles covering human rights, labor standards, environmental protection, and anti-corruption, encouraging businesses worldwide to align their strategies and operations with universally accepted values. Similarly, the Organisation for Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises provided comprehensive recommendations for responsible business conduct in a global context, addressing issues such as supply chain management, disclosure of information, competition, taxation, and respect for human rights. These frameworks, while non-binding, exerted considerable normative influence, pushing corporations to adopt more structured and transparent CSR policies that adhered to internationally recognized standards.<sup>10</sup> The evolution of CSR from a voluntary domain to a legally regulated obligation reflects a deeper and broader transformation in societal attitudes towards corporate responsibility. As global communities faced intensifying challenges such as widening socio-economic inequalities, environmental degradation, human rights abuses, and governance failures, voluntary CSR efforts were increasingly seen as insufficient to address the scale and urgency of these issues. Stakeholders, including governments, international organizations, civil society, and investors, began to call for greater corporate accountability and more consistent contributions to societal welfare.<sup>11</sup>

## **CSR AS A LEGAL MANDATE UNDER COMMERCIAL LAWS**

The legal institutionalization of CSR in India through the Companies Act, 2013 was a historic development. Section 135 of the Act mandates that companies meeting specified financial thresholds must spend at least two percent of their average net profits over the preceding three years on CSR activities. The Act requires such companies to constitute a CSR Committee at the Board level to formulate and recommend a CSR policy and monitor its implementation. Furthermore, companies are mandated to disclose their CSR activities and expenditures in their

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<sup>9</sup> Maria Yevdokymova, “*Evolution of corporate social responsibility applied to the concept of sustainable development*”, 2019.

<sup>10</sup> Jill A Brown, “*The United Nations Global Compact: Engaging Implicit and Explicit CSR for Global Governance*”, 2018.

<sup>11</sup> *Supra* note 6.



annual reports and on their websites, thereby enhancing transparency and public accountability.<sup>12</sup>

The regulatory framework has been progressively refined through various amendments. The Companies (Corporate Social Responsibility Policy) Amendment Rules, 2021 introduced significant changes, including mandatory registration of implementing agencies and a limit on administrative overheads to five percent of total CSR expenditure. The Companies (Corporate Social Responsibility Policy) Amendment Rules, 2024 further strengthened the regime by introducing mandatory independent impact assessments for companies undertaking large CSR projects, stricter norms for the treatment of unspent CSR funds, and revised penalty structures for non-compliance.<sup>13</sup>

Under the 2024 rules, any unspent CSR amount related to non-ongoing projects must be transferred to a specified fund within six months of the end of the financial year, such as the Prime Minister's National Relief Fund. Moreover, implementing agencies executing CSR projects on behalf of companies must now possess a valid CSR Registration Number issued by the Ministry of Corporate Affairs, thereby enhancing scrutiny and accountability. These developments reflect a transition towards an impact-oriented approach to CSR, emphasizing not merely expenditure but also the social outcomes of CSR initiatives.<sup>14</sup>

Globally, other jurisdictions have also moved towards enhancing corporate accountability in social and environmental matters, though with varying degrees of legal compulsion. In the United Kingdom, Section 172 of the Companies Act, 2006 mandates directors to consider the impact of their decisions on employees, the community, and the environment. The Streamlined Energy and Carbon Reporting (SECR) guidelines further mandate certain companies to disclose energy use and carbon emissions data. In the European Union, the Corporate Sustainability Reporting Directive (CSRD) of 2023 represents a significant regulatory advancement, requiring large companies and listed SMEs to provide detailed reports on their environmental and social impacts, starting from 2024. In the United States, although CSR is not federally mandated, the Securities and Exchange Commission (SEC) has proposed the

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<sup>12</sup> *Supra* note 4.

<sup>13</sup> Mayashree Acharya, "CSR Amendment Rules 2021", *available at*: <https://cleartax.in/s/csr-amendment-rules-2021> (last visited on- April 20, 2025).

<sup>14</sup> Centre For Advancement Of Philanthropy, "Unspent CSR Funds", *available at*: <https://capindia.in/unspent-csr-funds-beware-the-ides-of-march/> (last visited on- April 20, 2025).

Climate Disclosure Rule, 2024, which would impose comprehensive climate-related risk disclosure requirements on publicly listed companies.<sup>15</sup>

## **CRITICAL ANALYSIS OF LEGAL MANDATE ON CSR**

The statutory recognition of Corporate Social Responsibility (CSR) in India has ushered in several important advantages. It has institutionalized corporate participation in the nation's socio-economic development by mandating companies above certain thresholds to allocate a part of their profits towards socially beneficial activities. This requirement has ensured a minimum, steady flow of resources towards critical national priorities such as education, public health, environmental sustainability, and rural development. Moreover, mandatory CSR has contributed to enhancing corporate accountability and transparency, compelling companies to not only spend but also disclose their CSR strategies, initiatives, and financial commitments through publicly accessible reports. In doing so, it has fortified the broader social contract between businesses and the communities they serve, helping to build greater public trust and legitimizing corporate operations within society.<sup>16</sup>

However, despite these advances, significant challenges persist in the effective realization of CSR's intended objectives. For many companies, CSR compliance has become a mechanical exercise — a box-ticking activity undertaken to satisfy legal requirements rather than a sincere effort toward meaningful social impact. As a result, there is often a disproportionate emphasis on spending the mandated amount rather than ensuring that such spending translates into measurable and lasting improvements on the ground. Companies frequently select CSR projects that are easier to implement and document, rather than those that require sustained effort and have the potential for transformational change.<sup>17</sup>

Another persistent issue is the geographic concentration of CSR activities. CSR initiatives tend to cluster around urban centers where companies are headquartered or have major operations, leading to a skewed distribution of benefits and neglecting underserved rural and remote regions that are in greater need of developmental assistance.

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<sup>15</sup> Heer Nanavati, *"A Study of Section 172 (1) of the Companies Act 2006: Evaluating the Factors to Promote Success of the Company"*, 2023.

<sup>16</sup> Melissa Cyrill, Corporate Social Responsibility in India, available at: <https://www.india-briefing.com/news/corporate-social-responsibility-india-5511.html/> (last visited on- April 20, 2025).

<sup>17</sup> *"Corporate Social Responsibility: Balancing Profitability, Society and Sustainability"*, available at: <https://cpur.in/library/Books/54.%20Corporate%20Social%20Responsibility.pdf>

Additionally, the evolving regulatory framework — which has introduced requirements such as the compulsory registration of implementing agencies on the MCA21 portal and mandatory impact assessments for large projects — has increased the administrative and compliance burden on corporations. This has posed particular challenges for smaller companies that barely meet the CSR applicability thresholds and may not have the organizational capacity to navigate complex compliance landscapes.

Instances of the misuse of CSR funds have also surfaced, notably where companies channel their mandated CSR expenditures to affiliated NGOs or entities with limited accountability. Such practices undermine the spirit of the CSR law and call for the strengthening of monitoring, verification, and enforcement mechanisms to ensure that CSR activities genuinely contribute to societal welfare rather than becoming vehicles for regulatory evasion or reputational window-dressing.

In sum, while statutory CSR has made important strides in aligning corporate profits with social good, its true potential will be realized only when companies embrace CSR as an intrinsic part of their mission, going beyond statutory minimums to genuinely engage with and uplift the communities around them.

## **COMPARATIVE INSIGHTS: VOLUNTARY VERSUS MANDATORY CSR**

The ongoing debate between voluntary and mandatory approaches to Corporate Social Responsibility (CSR) remains a critical and highly relevant issue in corporate governance discourse.

**Voluntary CSR** provides companies with the flexibility and autonomy to craft initiatives that are closely aligned with their business models, corporate values, and stakeholder expectations. Under a voluntary regime, companies have the freedom to select areas of social engagement that resonate with their organizational mission and expertise, allowing for innovative and tailored solutions to societal challenges. This flexibility encourages authentic commitment, enabling businesses to embed CSR into their core strategies rather than treating it as a peripheral or statutory obligation. Voluntary CSR also fosters a culture of proactive social



engagement, where companies compete not just for profits but also for social value creation, leading to more sustainable and long-lasting community development efforts.<sup>18</sup>

However, the voluntary model is not without shortcomings. It often leads to inconsistency in corporate behavior, with wide variations in the scale, scope, and sincerity of CSR efforts across industries and companies. Without a binding obligation, some businesses may either neglect their social responsibilities altogether or engage only in superficial, tokenistic activities designed primarily for public relations purposes. This unpredictability undermines the broader goal of achieving widespread, equitable social development through corporate participation.

In contrast, **mandatory CSR**—as legislated in India under Section 135 of the Companies Act, 2013—seeks to address these inconsistencies by ensuring that a baseline level of corporate resources is systematically directed toward societal welfare. By making CSR expenditure obligatory for companies meeting certain financial thresholds, mandatory CSR helps to institutionalize social responsibility as a core aspect of corporate governance. It enhances transparency and accountability by requiring companies to disclose their CSR activities and financial allocations in annual reports, thus enabling public scrutiny and fostering greater trust among stakeholders. Moreover, mandatory CSR has significantly contributed to mobilizing substantial resources toward critical areas such as education, healthcare, environmental sustainability, and rural development.<sup>19</sup>

Nonetheless, mandatory CSR is not without its challenges. There is a tangible risk that the compliance-driven nature of mandatory CSR may dilute its spirit, reducing it to a box-ticking exercise where companies focus narrowly on fulfilling legal requirements rather than striving for meaningful and impactful interventions. Such a mindset can stifle innovation and reduce CSR to a transactional obligation rather than a transformative force for social change.

Given the strengths and weaknesses of both approaches, an **ideal CSR framework** would strive to blend the best aspects of voluntary and mandatory models. While maintaining a legally mandated baseline ensures that corporate contributions to social welfare are consistent and reliable, parallel incentives—such as tax benefits, public recognition, or regulatory

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<sup>18</sup> Akhilesh Ganti, “Social Responsibility in Business: Meaning, Types, Examples, and Criticism”, *available at*: <https://www.investopedia.com/terms/s/socialresponsibility.asp> (last visited on- April 20, 2025).

<sup>19</sup> *Supra* note 4.

advantages—could encourage companies to voluntarily exceed the minimum requirements and engage in strategic, high-impact CSR initiatives. In this hybrid model, regulatory compulsion would establish a strong foundation, but corporate innovation, commitment, and leadership would drive genuine social transformation.<sup>20</sup>

Ultimately, the goal should be to cultivate a corporate culture where CSR is not merely about compliance but about commitment—where companies see social responsibility as integral to their long-term success and societal well-being.

## **RECOMMENDATIONS**

To significantly enhance the effectiveness of the Corporate Social Responsibility (CSR) legal framework in India, a fundamental shift is required—from the current model of expenditure-based reporting to a system focused on impact-oriented evaluation. Simply tracking the amount of money spent on CSR activities provides an incomplete picture of their effectiveness. Instead, there must be a concerted effort to assess the **actual social outcomes** and **long-term benefits** generated by CSR initiatives. Regulators, including the Ministry of Corporate Affairs and associated bodies, must invest in developing **robust metrics, standardized guidelines, and advanced evaluation tools** that can objectively measure the qualitative and quantitative impacts of CSR projects across diverse sectors such as education, health, environment, and rural development.<sup>21</sup>

In addition to better metrics, it is imperative that companies are encouraged to **integrate CSR activities into their core business competencies and long-term strategic goals**. Aligning CSR initiatives with a company's expertise, resources, and operational strengths will not only ensure more effective project execution but will also lead to interventions that are **sustainable, scalable, and genuinely transformative** for target communities. For instance, a healthcare company might focus on rural health initiatives, while an IT firm could invest in digital literacy programs. Such strategic alignment helps create a **win-win situation** where business goals and social goals mutually reinforce each other.

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<sup>20</sup> Hans B. Christensen, Luzi Hail, “Mandatory CSR and sustainability reporting: economic analysis and literature review”, Volume 26, pages 1176–1248, (2021).

<sup>21</sup> Eliza Sharma, M. Sathish, “CSR leads to economic growth or not”: an evidence-based study to link corporate social responsibility (CSR) activities of the Indian banking sector with economic growth of India” Volume 11, pages 67–103, (2022).

Another critical area for reform is the **simplification of the regulatory framework**, especially for **mid-sized and smaller companies** that meet the CSR threshold but may lack the administrative infrastructure to comply with complex legal requirements. Over-regulation risks discouraging genuine participation and promoting a mechanical, minimum-effort approach to compliance. Streamlining reporting formats, easing registration procedures for implementing agencies, and providing clear, practical guidance can significantly **reduce the compliance burden** and make CSR engagement more accessible to a broader base of companies.

At the same time, to safeguard the integrity of CSR activities, **strengthening monitoring and accountability mechanisms** is essential. **Third-party audits** conducted by independent, accredited agencies should become a norm rather than an exception, ensuring unbiased evaluation of CSR projects. Mandatory **public disclosures** on company websites and in annual reports, detailing not only expenditures but also project impacts and challenges faced, would foster **greater transparency**. Furthermore, establishing **stakeholder feedback systems**—such as community surveys or grievance redressal mechanisms—would ensure that the intended beneficiaries have a voice in evaluating the success and relevance of CSR initiatives.

Finally, enhancing the **capacity and professionalism of implementing agencies and NGOs** is critical to translating corporate intentions into tangible results on the ground. Many companies rely on third-party organizations to execute their CSR projects, but disparities in the capabilities, governance standards, and accountability practices of these organizations often affect project outcomes. Targeted efforts—such as offering training programs, developing accreditation standards, and promoting partnerships between experienced NGOs and newer entrants—can help build a more **competent and reliable network of CSR implementation partners**.

In sum, the future of CSR in India must move beyond mere compliance to become a dynamic, outcome-driven, and socially embedded practice. This requires a **holistic reform agenda** focusing on impact assessment, strategic integration, regulatory simplification, rigorous monitoring, and capacity building, ultimately transforming CSR from a legal obligation into a powerful instrument for sustainable social development.



## **CONCLUSION**

The statutory mandate for Corporate Social Responsibility (CSR) marks a **transformative evolution** in the relationship between corporations and society, fundamentally redefining the role of businesses within the broader socio-economic framework. India's pioneering move to codify CSR obligations under the **Companies Act, 2013**, and further refine them through a series of **amendments up to 2024**, represents a bold and progressive experiment on the global stage. By making CSR a **legal obligation** for qualifying companies, India institutionalized the idea that businesses are not merely economic entities concerned with profits, but key stakeholders in national development and social progress.

This legislative framework has given concrete form to the principle that **corporate responsibility extends beyond shareholders to include the wider community**, encompassing concerns such as education, healthcare, environmental sustainability, rural development, and social equity. The formal reporting, disclosure, and governance mechanisms introduced through the CSR framework have enhanced **accountability, transparency, and public trust** in corporate actions. Importantly, CSR is no longer treated as an optional philanthropic endeavor but is recognized as an essential component of **good corporate governance and ethical business conduct**.

Nevertheless, **significant challenges** persist in translating CSR obligations into genuine and sustainable social impact. There remains a tendency among some companies to adopt a **tick-box approach**, focusing on the minimum financial compliance rather than meaningful engagement with social issues. Disparities in CSR project quality, geographical concentration in urban areas, misuse of funds, administrative burdens, and inconsistencies in monitoring and evaluation mechanisms have at times diluted the transformative potential of the CSR mandate. Despite these hurdles, the **overall trajectory is positive**. Indian companies are increasingly recognizing that **proactive and strategic CSR** initiatives can enhance their brand value, strengthen stakeholder relationships, mitigate risks, and open new avenues for innovation and market growth. An increasing number of businesses are aligning their CSR strategies with **national development goals, Sustainable Development Goals (SDGs), and Environmental, Social, and Governance (ESG)** frameworks, integrating social impact into their long-term corporate vision.

Moving forward, a **balanced approach** will be critical in fully realizing the transformative potential of CSR. While **regulatory enforcement** remains necessary to ensure baseline compliance and prevent misuse, there must also be **strong incentives** for companies to go beyond the bare minimum. Encouraging innovation in CSR activities, promoting partnerships between corporations and credible NGOs, and rewarding companies that demonstrate genuine and measurable social impact can foster a culture of **voluntary excellence** rather than mere forced compliance.

The future of CSR in India thus lies not merely in fulfilling legal mandates but in **embracing the spirit of responsible corporate citizenship**. Businesses must view social responsibility not as an external imposition, but as an **integral pillar of business success**, resilience, and legitimacy. In a world increasingly shaped by stakeholder capitalism, climate challenges, and demands for social justice, companies that authentically engage with societal issues will not only contribute to national development but also secure their own sustainable futures. True CSR must evolve into a **shared value** paradigm where corporate prosperity and societal well-being reinforce each other, building a more inclusive, equitable, and prosperous India.

## **REFERENCES**

1. <https://www.legalserviceindia.com/legal/article-16395-corporate-social-responsibility-legal-perspectives-and-practical-challenges.html>
2. <https://www.bennett.edu.in/media-center/blog/legal-framework-for-corporate-social-responsibility-in-india-an-explainer/>
3. <https://www.forbes.com/sites/rhettpower/2024/09/29/the-new-age-of-corporate-social-responsibility-beyond-checkbook-philanthropy/>
4. Companies Act, 2013 (India).
5. Non-Financial Reporting Directive (EU).
6. Dodd-Frank Wall Street Reform and Consumer Protection Act (US).
7. UN Global Compact, Principles for Responsible Investment (PRI).
8. Scholarly articles, case studies, and reports on CSR in business law.