

THE MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS (SHRI ARJUN RAM MEGHWAL): (a) The Ministry of Corporate Affairs does not allocate Corporate Social Responsibility (CSR) funds. Section 135 (3) and (4) of the Companies Act, 2013 empower the Board of the company to take decisions with respect to the allocation of CSR funds for items listed in Schedule VII of the Act. 'Water recycling and water harvesting' are covered under the head "environmental sustainability and ecological balance" or "rural development" as listed in Schedule VII of the Act.

(b) ONGC has spent an amount of ₹ 91.52 lakh and ₹ 6.50 lakh in the years 2009-10 and 2016-2017 respectively for water harvesting in Gujarat from the CSR funds, the details of which are as under:—

- (i) Financial Support for Construction of 09 Nos. Recharge Tubewells in and around operational areas of Mehsana with financial implication of ₹ 91.52 lakh to Gujarat Water Resources Development Corporation Limited, G.T.W. Division, Ahmedabad (Gujarat).
- (ii) Financial Support for Recharge Tubewell at Village Jagudan, Taluk and District Mehsana with financial implication of ₹ 6.50 lakh.

Use of CSR fund on health and education

4343. PROF. M.V. RAJEEV GOWDA: Will the Minister of CORPORATE AFFAIRS be pleased to state:

(a) whether Government has details of companies that spend their mandated Corporate Social Responsibility (CSR) funds on services such as education and health, if so, the total CSR funds that has been spent on health and education;

(b) if not, the reasons therefor;

(c) whether Government intends on bringing a mechanism that would institutionalise the use of CSR funds by companies; and

(d) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS (SHRI ARJUN RAM MEGHWAL): (a) and (b) The CSR expenditure of companies is compiled development sector-wise as listed in Schedule VII of the Companies Act, 2013. The development sector-wise CSR spend of the companies on education and health for

the years 2014-15 and 2015-16 is given in the Statement. [Refer to the Statement appended to answer to Sq No. 415 part (a) and (b)].

(c) and (d) No, Sir. The Companies Act, 2013 already provides an institutional framework for the use of CSR funds by companies.

Donations to political parties by corporate bodies

4344. SHRIMATI JAYA BACHCHAN: Will the Minister of CORPORATE AFFAIRS be pleased to state:

(a) the details of amount that a company can contribute to a political party as per the existing provisions of the law and other Statutory directions of Government along with the time by when these provisions were enacted and last amended;

(b) whether Government proposes to review the law with regard to political donations by corporate bodies; and

(c) the details of provisions of law by which the foreign companies are permitted to make donations to political parties in the country along with the list of such companies during the last three years and the current year?

THE MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS (SHRI ARJUN RAM MEGHWAL): (a) and (b) Contributions to political parties are governed by Section 182 of the Companies Act, 2013 (the Act), which provides that a company that is not a Government company and which is in existence for at least last three financial years may contribute any amount directly or indirectly to any political party registered under the representation of Peoples Act, 1951. The section was commenced w.e.f. 12.09.2013. Section 154 of the Finance Act, 2017 amends section 182 of the Companies Act, 2013. As per the amendment, the limit on the maximum amount that can be contributed by a company to a political party has been removed.

Further, Section 80GGB of Income Tax Act, 1961 allows an Indian company deduction from taxable income for any contribution, other than by way of cash, to any political party or an electoral trust.

(c) Ministry of Home Affairs has informed that there is no proposal to review the law on foreign contributions to political parties as prescribed in Foreign Contributions (Regulation) Act, 2010 (FCRA, 2010). Further, Section 3 of the FCRA, 2010 prohibits political parties or office bearers thereof from accepting foreign contributions, from any foreign source including foreign companies.