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**THE DYNAMICS OF CORPORATE SOCIAL RESPONSIBILITY IN
MODERN INDIA: ISSUES, CHALLENGES, AND REGULATORY
FRAMEWORKS**

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Abstract

Corporate Social Responsibility (CSR) has become an essential aspect of modern business practices, especially in India, where it significantly influences corporate behaviour and societal impact. This paper explores the evolution of CSR in India, tracing its development from a voluntary initiative to a regulatory requirement. It examines the regulatory framework established by the Companies Act, of 2013, and addresses the legal and practical challenges companies encounter in implementing effective CSR programs. By analysing current trends and best practices, the paper provides insights into how CSR initiatives can drive sustainable business practices and contribute to social development. Ultimately, it aims to offer a comprehensive understanding of CSR's role in promoting ethical business conduct and fostering positive community engagement in India.

INTRODUCTION

“If you are not sensitive and responsible to the society you operate in, you'd be soon out of business” ~Indra K. Nooyi, CEO and President of PepsiCo.

Corporate Social Responsibility (CSR) has emerged as a fundamental component of modern business strategy, reflecting a significant shift from traditional profit-centric models to a more holistic approach that integrates ethical considerations and social impact into business operations. Historically, companies focused primarily on maximizing shareholder value. However, contemporary CSR extends beyond mere philanthropy to encompass a broader

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range of activities aimed at achieving economic, social, and environmental sustainability. This shift is encapsulated by the triple bottom line approach, which emphasizes that business success should be measured not only by financial performance but also by social and environmental impact.

CSR necessitates that businesses operate ethically and responsibly, addressing the needs and concerns of various stakeholders, including employees, customers, suppliers, and the community at large. This approach aligns corporate objectives with societal needs, fostering a balance between profit-making and social welfare. In the context of globalization, increased environmental and social concerns have prompted businesses to adopt CSR practices that address these issues and contribute positively to society. In India, CSR has evolved significantly, influenced by both traditional values and modern regulatory frameworks.

The Evolution of CSR in India

India's historical context has always emphasized social responsibility and environmental conservation. Ancient Indian texts, such as the Vedas and Upanishads, and philosophical teachings, including those of Mahatma Gandhi, highlight the importance of ethical conduct, social welfare, and environmental stewardship. The principles of Dharma (duty) and Seva (selfless service) have long underscored the Indian ethos, reflecting a deep-rooted tradition of social responsibility.

The advent of industrialization and globalization brought new challenges and opportunities. During the early 20th century, Indian businesses began adopting social initiatives, often driven by the philanthropic interests of prominent industrialists such as Jamsetji Tata and Birla. Their contributions to education, healthcare, and community development set a precedent for corporate engagement in social issues.

The formalization of CSR in India began with the introduction of the Companies Act, 2013. This landmark legislation marked a significant shift from voluntary CSR practices to mandatory compliance for certain companies. The Act reflects a broader global trend towards increased regulatory oversight and accountability in corporate governance, aligning India with international standards of CSR.

THE COMPANIES ACT, 2013: CSR PROVISIONS AND IMPLICATIONS

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The Companies Act, 2013, represents a pivotal development in the regulation of CSR in India. The Act introduced several key provisions that shape the CSR landscape, marking a transition from voluntary to mandatory CSR practices.

- 1. Applicability:** The CSR provisions of the Companies Act, 2013, apply to companies that meet specific financial thresholds. Companies with a net worth of ₹500 crore or more, a turnover of ₹1,000 crore or more, or a net profit of ₹5 crore or more during any financial year are required to comply with CSR regulations. This criterion ensures that only large, financially robust companies are obligated to undertake CSR activities, reflecting their capacity to contribute meaningfully to social causes.

This provision aims to target companies that have substantial financial resources and the potential to make a significant impact. By focusing on companies that meet these thresholds, the Act ensures that CSR efforts are aligned with the financial capabilities of the businesses involved. Smaller companies, while encouraged to engage in CSR, are not legally bound to do so under the current framework.

- 2. CSR Expenditure:** The Act mandates that eligible companies allocate at least 2% of their average net profits from the previous three fiscal years to CSR initiatives. This expenditure must be directed towards activities listed under Schedule VII of the Act, which includes areas such as education, healthcare, environmental sustainability, and rural development. This provision aims to ensure that CSR spending is both substantial and impactful.

The requirement to spend a minimum percentage of profits on CSR activities ensures that companies contribute a meaningful portion of their earnings towards social causes. This provision aligns with global CSR trends that emphasize the importance of financial commitment to achieving social impact. Companies must carefully plan and execute their CSR initiatives to meet this spending requirement effectively.

- 3. Eligible CSR Activities:** The Act outlines a broad range of eligible CSR activities. These include promoting education, eradicating hunger, supporting gender equality, enhancing environmental sustainability, and aiding government relief funds. This

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broad scope allows companies to choose CSR projects that align with their business interests and social objectives.

By including a diverse range of activities, the Act provides companies with the flexibility to address various social issues. This approach allows businesses to tailor their CSR initiatives to their strengths and areas of expertise. For example, a company in the education sector might focus on improving access to quality education, while a manufacturing company might prioritize environmental sustainability.

- 4. CSR Committee:** Companies falling under the CSR provisions are required to establish a CSR Committee consisting of at least three directors, including one independent director. This committee is responsible for formulating the CSR policy, overseeing its implementation, and ensuring compliance with legal requirements. The establishment of a CSR Committee ensures that CSR activities are managed effectively and aligned with corporate strategies.

The CSR Committee plays a crucial role in ensuring that CSR initiatives are strategically aligned with the company's goals and legal requirements. This committee is responsible for setting priorities, monitoring progress, and reporting on CSR activities. The inclusion of an independent director helps ensure transparency and accountability in the management of CSR efforts.

- 5. CSR Policy:** Companies must develop a CSR policy outlining their approach to CSR activities. This policy should detail CSR goals, areas of focus, implementation strategies, and monitoring mechanisms. The CSR Committee must approve the policy, which should then be publicly disclosed on the company's website. The CSR policy serves as a guiding document for all CSR initiatives and enhances transparency.

A well-defined CSR policy provides a clear framework for implementing CSR activities and helps ensure consistency in approach. It also facilitates communication with stakeholders by outlining the company's commitment to social responsibility. The public disclosure of the policy enhances transparency and allows stakeholders to assess the company's CSR efforts.

- 6. Reporting and Disclosure:** The Act requires companies to disclose detailed information about their CSR activities in their annual financial statements and the

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board report. This includes information about CSR policies, expenditures, and justifications for non-compliance. Companies are encouraged to provide both qualitative and quantitative data on the impact of their CSR initiatives. This requirement promotes transparency and accountability in CSR reporting.

Comprehensive reporting on CSR activities allows stakeholders to evaluate the effectiveness of CSR initiatives and their alignment with the company's goals. Detailed disclosures help build trust and credibility, demonstrating the company's commitment to social responsibility. Companies are encouraged to provide insights into the outcomes of their CSR projects and the challenges faced.

- 7. Impact Assessment:** Companies are encouraged to assess the impact of their CSR initiatives. Impact assessments help gauge the effectiveness of CSR projects and ensure that they achieve their intended objectives. This process involves evaluating the outcomes of CSR activities and identifying areas for improvement.

Impact assessments are critical for understanding the real effects of CSR initiatives on the community and the environment. By conducting regular evaluations, companies can refine their CSR strategies, address shortcomings, and enhance the overall impact of their activities. Impact assessments also provide valuable feedback for stakeholders and contribute to continuous improvement.

- 8. Penalties:** Non-compliance with CSR provisions can result in penalties for both the company and its officers. Companies that fail to meet CSR spending requirements or do not comply with other regulations may face fines. In addition, CSR officers may be subject to penalties or imprisonment. These penalties serve as a deterrent to ensure adherence to CSR regulations.

The imposition of penalties underscores the importance of compliance with CSR regulations and encourages companies to take their CSR obligations seriously. Penalties can have significant consequences for companies, including reputational damage and legal repercussions. Ensuring compliance with CSR provisions is essential for maintaining a positive public image and fulfilling legal obligations.

ISSUES AND CHALLENGES IN IMPLEMENTING CSR IN INDIA

(i) Legal Framework and Compliance Challenges

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The legal framework for CSR in India, primarily governed by Section 135 of the Companies Act, 2013, establishes clear guidelines for CSR practices. However, compliance presents several challenges. Companies often encounter bureaucratic hurdles in forming CSR Committees, developing structured CSR approaches, and adhering to reporting requirements. These challenges can be particularly daunting for smaller companies with limited resources and expertise.

(ii) Lack of Awareness and Expertise

A significant challenge in CSR implementation is the lack of awareness and expertise among businesses, particularly small and medium enterprises (SMEs). Many companies are not fully aware of their legal obligations or the potential benefits of CSR. This knowledge gap often results in ineffective CSR activities that fail to address pressing social issues. Furthermore, there is a shortage of professionals with expertise in CSR, which hampers the design, implementation, and monitoring of CSR projects.

To address this challenge, companies should invest in training programs and capacity-building initiatives to enhance their understanding of CSR requirements and best practices. Collaborating with industry experts and consulting firms can also provide valuable insights and support in developing effective CSR strategies.

(iii) Selection of Appropriate CSR Activities

Choosing appropriate CSR activities that align with both business objectives and societal needs is a critical challenge. Companies must balance their social responsibility goals with their core business activities and stakeholder expectations. This process requires careful consideration of various factors, including community needs, environmental impact, and alignment with corporate values.

Companies can address this challenge by conducting thorough needs assessments and engaging with stakeholders to identify priority areas for CSR intervention. Strategic planning and stakeholder consultation can help ensure that CSR activities are relevant, impactful, and aligned with the company's mission and values.

(iv) Impact Measurement and Evaluation

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Effectively measuring and evaluating the impact of CSR initiatives is a major challenge. Companies often struggle to assess the outcomes and effectiveness of their CSR activities, which can result in limited accountability and transparency. Without robust impact measurement frameworks, it is difficult to determine whether CSR investments are achieving their intended goals.

To enhance impact measurement, companies should develop clear metrics and indicators to assess the success of their CSR initiatives. Regular monitoring, evaluation, and reporting can provide valuable insights into the effectiveness of CSR projects and inform future strategies. Engaging third-party evaluators and impact assessment experts can also improve the accuracy and credibility of impact assessments.

(v) Ensuring Transparency and Accountability

Transparency and accountability are crucial for the credibility of CSR efforts. Companies must provide accurate and comprehensive information about their CSR activities, expenditures, and outcomes. However, achieving transparency can be challenging, particularly in the absence of standardized reporting frameworks and guidelines.

Companies can enhance transparency by adopting internationally recognized reporting standards, such as the Global Reporting Initiative (GRI) guidelines, and ensuring consistent and accurate disclosure of CSR information. Engaging with stakeholders and addressing their concerns can also contribute to greater accountability and trust.

(vi) Evolving Regulations and Compliance Costs

The regulatory landscape for CSR is dynamic, with evolving guidelines and compliance requirements. Companies must stay abreast of changes in CSR regulations and adapt their practices accordingly. The cost of compliance can be significant, particularly for smaller companies with limited resources.

To manage evolving regulations, companies should establish robust compliance management systems and engage with regulatory authorities to stay informed about regulatory changes. Investing in legal and compliance expertise can help companies navigate complex regulatory requirements and minimize compliance costs.

(vii) Trends and Developments in CSR Practices

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Since the introduction of mandatory CSR requirements under the Companies Act, 2013, there have been notable trends and developments in CSR practices in India. These trends reflect an evolving understanding of CSR and its impact on society.

(viii) Increased Expenditure

One of the most significant trends in CSR in India is the increase in expenditure. Companies are allocating substantial resources to CSR activities, driven by regulatory requirements and a growing recognition of the value of social responsibility. This increased spending is evident in various sectors, including education, healthcare, and environmental sustainability. The rise in CSR expenditure reflects a commitment to addressing societal challenges and contributing to sustainable development.

For example, major Indian corporations such as Tata Group, Reliance Industries, and Infosys have significantly increased their CSR budgets in recent years. Tata Group's initiatives include the Tata Trusts' work in healthcare, education, and rural development, while Reliance Industries has invested in infrastructure, education, and disaster relief. Infosys has focused on education, skill development, and environmental sustainability. This increased expenditure highlights the growing recognition of CSR as a critical component of business strategy and societal impact.

(ix) Diverse Programs

The range of CSR programs has expanded significantly, with companies investing in diverse areas such as skill development, environmental conservation, and rural development. This diversity allows companies to address a broad spectrum of social issues and contribute to multiple facets of societal well-being. For example, many companies are focusing on environmental sustainability initiatives, such as reducing carbon footprints and supporting renewable energy projects.

Companies like Hindustan Unilever have launched programs aimed at improving water access and sanitation in rural areas, while Mahindra Group's Mahindra Foundation supports education and healthcare initiatives. Additionally, several companies are engaging in skill development programs to enhance employability among youth, reflecting a commitment to addressing unemployment and promoting economic growth.

(x) Enhanced Reporting

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Improved transparency and reporting practices are another notable trend. Companies are increasingly adopting comprehensive reporting frameworks to disclose their CSR activities and impact. Enhanced reporting practices include detailed accounts of CSR expenditures, project outcomes, and impact assessments. This trend reflects a growing emphasis on accountability and the need for stakeholders to understand the effectiveness of CSR initiatives.

Many companies are now adopting integrated reporting frameworks that combine financial and non-financial performance metrics. The adoption of standards such as the GRI and the Sustainability Accounting Standards Board (SASB) frameworks helps companies provide comprehensive and comparable CSR disclosures. This enhanced reporting allows stakeholders to assess the alignment between corporate actions and societal expectations.

(xi) Innovative CSR Models

Companies are exploring innovative CSR models to address complex social challenges. These models include collaborative approaches involving partnerships with government agencies, NGOs, and other stakeholders. Innovative CSR initiatives often leverage technology and data to enhance project outcomes and reach underserved communities. For example, some companies are using digital platforms to facilitate education and healthcare services in remote areas.

An example of innovative CSR is the collaboration between corporate entities and government programs such as the Swachh Bharat Abhiyan (Clean India Mission). Companies like ITC and Larsen & Toubro have partnered with government agencies to support sanitation and waste management projects. Another example is the use of blockchain technology to track and verify the impact of CSR initiatives, enhancing transparency and accountability.

(xii) Increased Focus on Environmental Sustainability

Environmental sustainability has become a prominent focus of CSR initiatives. Companies are investing in projects that address climate change, resource conservation, and pollution control. This focus is driven by the recognition of environmental issues as critical to long-term business sustainability and societal well-being. Companies are adopting green practices, such as reducing waste and promoting sustainable resource management.

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For instance, Indian companies like Adani Group and JSW Steel are implementing large-scale renewable energy projects, including solar and wind energy farms. Additionally, companies are adopting sustainable practices in their supply chains, such as reducing plastic usage and promoting circular economy principles. The increased focus on environmental sustainability reflects a growing awareness of the need to address climate change and environmental degradation.

(xiii) Future Directions for CSR in India

Looking ahead, CSR in India is expected to continue evolving in response to emerging social, environmental, and economic challenges. Companies will need to adapt their CSR strategies to address issues such as climate change, inequality, and technological advancements. Future trends may include a greater emphasis on impact measurement, stakeholder engagement, and collaboration with diverse partners.

(xiv) Impact Measurement and Data Analytics

The future of CSR in India will likely see a greater emphasis on impact measurement and data analytics. Companies will increasingly use data-driven approaches to assess the effectiveness of their CSR initiatives and make informed decisions. Advanced data analytics tools can help companies measure social impact, track progress, and optimize resource allocation.

For example, companies may use data analytics to evaluate the outcomes of education and skill development programs, identify areas for improvement, and refine their strategies. The use of data and technology can enhance the effectiveness of CSR initiatives and provide valuable insights for continuous improvement.

(xv) Collaborative Approaches and Multi-Stakeholder Engagement

Future CSR practices are expected to involve more collaborative approaches and multi-stakeholder engagement. Companies will work with government agencies, NGOs, and community organizations to address complex social challenges. Collaborative efforts can leverage the strengths and expertise of various stakeholders to achieve greater impact.

An example of collaborative CSR is the partnership between corporate entities and NGOs to address issues such as child malnutrition and rural development. Companies may also engage

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in public-private partnerships to support infrastructure development and social welfare programs.

(xvi) Integration of CSR with Core Business Strategies

Companies will increasingly integrate CSR with their core business strategies, aligning social and environmental goals with business objectives. This integration can enhance the effectiveness of CSR initiatives and contribute to long-term business sustainability. By embedding CSR into business operations, companies can create shared value for both society and shareholders.

For instance, companies may incorporate sustainability practices into their supply chains, develop products with lower environmental impact, and engage in socially responsible marketing. This alignment between CSR and business strategy can drive innovation, improve competitiveness, and enhance corporate reputation.

Conclusion

Corporate Social Responsibility (CSR) in India has come a long way. What began as an optional practice driven by corporate benevolence has now become a cornerstone of business ethics and governance. The Companies Act, 2013, marked a significant shift, turning CSR from a voluntary initiative into a legal obligation. This change has transformed how companies view their role in society, compelling them to engage in meaningful, impactful activities that extend beyond mere profit-making.

Reflections on Progress and Challenges

The introduction of CSR mandates has spurred positive change, pushing companies to move from sporadic acts of charity to structured, strategic contributions. The legal framework provided by the Companies Act has set clear guidelines for CSR, promoting transparency and accountability. Companies are now required to channel resources into socially beneficial projects and report their efforts openly, a move that has encouraged a more disciplined approach to CSR.

However, this journey hasn't been without hurdles. Aligning CSR activities with core business objectives presents a challenge, as companies strive to balance compliance with meaningful impact. Measuring the success of CSR initiatives remains complex, with

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businesses often struggling to quantify the social and environmental benefits of their efforts. Moreover, ensuring transparency and avoiding "greenwashing"—the practice of making misleading claims about environmental or social contributions—remains an ongoing concern.

Looking Ahead: Trends and Innovations

As we look to the future, several trends are emerging that could reshape CSR practices in India. One significant trend is the growing focus on impact measurement. Companies are increasingly adopting robust frameworks to evaluate the effectiveness of their CSR efforts. This data-driven approach not only enhances the credibility of CSR reports but also helps in making more informed decisions.

Another noteworthy trend is the integration of CSR into overall business strategy. Companies are realizing that CSR should be woven into the fabric of their business operations rather than being treated as an isolated function. This strategic integration aligns CSR goals with business objectives, fostering long-term sustainability and creating shared value for both the company and society.

The Role of Stakeholders

Effective CSR hinges on active engagement with various stakeholders—employees, customers, communities, and regulatory bodies. Building and nurturing these relationships helps companies better understand stakeholder needs and expectations. This engagement fosters trust and collaboration, making CSR initiatives more impactful and relevant.

Embracing Technological Advancements

Technology is playing a pivotal role in advancing CSR efforts. Innovations such as blockchain for transparency, artificial intelligence for impact analysis, and digital platforms for stakeholder engagement are transforming how companies approach CSR. Leveraging these technologies can enhance the efficiency and effectiveness of CSR practices, leading to more substantial and measurable outcomes.

Commitment to Continuous Improvement

The journey towards effective CSR is one of ongoing learning and adaptation. Companies must remain flexible and open to evolving their CSR strategies in response to new challenges

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and opportunities. Embracing a culture of continuous improvement will help businesses stay ahead and make a meaningful difference in their communities and beyond.

Recommendations for Strengthening CSR Practices

To enhance the effectiveness of CSR initiatives, the following recommendations are proposed:

1. **Align CSR with Business Objectives:** Integrate CSR into core business strategies to ensure that initiatives support overall corporate goals and create shared value. By focusing on areas where business operations intersect with societal needs, companies can achieve greater impact.
2. **Develop Robust Impact Measurement Frameworks:** Establish comprehensive metrics and frameworks to measure and report the impact of CSR activities. Clear objectives, regular monitoring, and thorough assessment will enhance transparency and help refine strategies.
3. **Promote Stakeholder Engagement:** Actively engage with stakeholders to understand their needs and expectations. Building meaningful relationships with employees, customers, communities, and regulatory bodies fosters trust and collaboration.
4. **Leverage Technology for CSR:** Utilize advancements such as blockchain, artificial intelligence, and digital platforms to enhance CSR practices. Technology can improve efficiency, transparency, and impact measurement.
5. **Focus on Long-Term Sustainability:** Shift from short-term philanthropic activities to long-term sustainability goals. Invest in initiatives that address root causes of social and environmental issues and have lasting positive effects.
6. **Enhance Transparency and Avoid Greenwashing:** Provide accurate and comprehensive information about CSR activities and outcomes. Avoid superficial claims and focus on genuine, impactful actions.
7. **Foster a Culture of Continuous Improvement:** Encourage a culture of learning and innovation. Regularly review and refine CSR strategies based on new insights, emerging trends, and feedback.

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8. **Support Capacity Building and Collaboration:** Invest in building the capacity of organizations and communities to engage effectively in CSR. Collaborate with non-governmental organizations, government agencies, and other stakeholders to enhance the reach and impact of CSR efforts.
9. **Ensure Compliance with Regulatory Requirements:** Stay updated with regulatory changes and ensure adherence to CSR regulations. Proactively address gaps in compliance to maintain a positive reputation.
10. **Promote Inclusivity and Diversity:** Incorporate inclusivity and diversity into CSR initiatives. Ensure that programs address the needs of diverse communities and promote equal opportunities.

A Call to Action

As we move forward, companies need to reaffirm their commitment to CSR and adopt a holistic approach to social responsibility. Integrating CSR into business strategies, engaging with stakeholders, and leveraging technology can drive positive change and contribute to a more equitable and sustainable future.

The evolution of CSR in India reflects a broader global trend towards responsible and sustainable business practices. Companies that navigate these challenges and seize opportunities will not only meet their legal obligations but also enhance their reputations, build stronger community ties, and contribute to societal well-being. The path to effective CSR is ongoing, but with dedication and innovation, businesses can play a crucial role in shaping a brighter, more sustainable future for all.

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