



THE INSTITUTE OF
Company Secretaries of India

भारतीय कम्पनी सचिव संस्थान

IN PURSUIT OF PROFESSIONAL EXCELLENCE

Statutory body under an Act of Parliament

(Under the jurisdiction of Ministry of Corporate Affairs)

MCA/PD: August

26th August, 2020

Shri Rajesh Verma, IAS
Secretary, Ministry of Corporate Affairs
Government of India
Dr. Rajendra Prasad Road,
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New Delhi – 110 001

प्राप्ति एवं प्रेषक, अनुभाग/R & I Section
भारत सरकार/Govt. of India
कार्पोरेट कार्य मंत्रालय
Ministry of Corporate Affairs
डॉ. सं./Dy. No.
दिनांक/Date

403 26/8/2020

Ref: Amendments regarding CSR provisions in Companies (Amendment) Act, 2019 and its monitoring – Reg.

Respected Sir,

This has reference to our letter dated 6th August, 2019 on the captioned subject. Being a part of the High Level Committee on CSR ('Committee') and providing secretarial assistance, logistical and technical support to the Committee, the ICSI has drafted rules, incorporating therein the changes required as per the amendment to the Companies (Amendment) Act, 2019, given at 'Annexure A'.

It is important to note the two major changes in the said amendment viz. transfer of unspent CSR amount to escrow account and Fund specified in Schedule VII. Monitoring the implementation of said amendments is a challenge and would further require compliance mechanism to be put in place to ensure that the amendments are followed in letter and spirit. Therefore, it is proposed that CSR Compliance Certificate, by an independent professional, should be introduced, which should cover all the aspects of CSR provisions as provided under the Act and the Rules. A draft Compliance Certificate covering each and every aspect is given at 'Annexure B'.

The Company Secretaries being forefront in compliance certification and corporate governance mechanism are already rendering host of services similar thereto which are given at 'Annexure C'.

We request you to kindly consider introduction of CSR Compliance Certificate by a Company Secretary in Practice, the independent professional and the reporting thereof in a dedicated format in the form of CSR Compliance Certificate.

We hope that the Companies (Amendment) Act, 2019, shall go a long way in strengthening the positioning of CSR in the Indian Corporate.

We shall be pleased to provide any further information or clarification in this regard on hearing from your good self.

Thanking you,

Yours faithfully,

AS

(CS Asish Mohan)
Secretary

Vision

"To be a global leader in promoting good corporate governance"

Motto

सत्यं वद। धर्मं चर। इदं श्रेयं कुरुते। अश्रेयं न कुरुते।

Mission

"To develop high calibre professionals facilitating good corporate governance"

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