

“Greenwashing and Corporate Social Responsibility”

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Abstract:-

This research paper examines the phenomenon of greenwashing within the framework of corporate social responsibility (CSR) from a legal standpoint. Greenwashing, defined as misleading or deceptive environmental claims made by corporations, undermines the effectiveness and credibility of CSR initiatives aimed at promoting sustainable business practices. The paper explores the evolution of legal frameworks governing CSR, highlights the challenges posed by greenwashing under existing laws, and analyses key national and international regulations addressing false environmental claims. Through a detailed review of enforcement actions and landmark cases, the study reveals the gaps and limitations in current regulatory approaches, emphasizing the need for clearer legal definitions, robust compliance mechanisms, mandatory third-party verifications, and stronger penalties to deter deceptive practices. Further, it discusses the intersection of voluntary CSR initiatives and mandatory legal obligations, underscoring the role of due diligence and corporate governance in preventing greenwashing. Policy recommendations are presented to enhance regulatory oversight, promote corporate accountability, and empower consumers, paving the way for genuine sustainable development. The paper concludes that an integrated legal strategy, coupled with corporate ethical commitment and stakeholder engagement, is essential to effectively combat greenwashing and uphold the integrity of CSR.

Keywords: – Greenwashing, Corporate Social Responsibility (CSR), Legal Compliance, Legal Enforcement, Policy Recommendations

1. An introduction to greenwashing and corporate social responsibility

Corporate social responsibility (CSR) and environmental sustainability have become quite important in the business world in the last few years. CSR is the moral duty of businesses to run their businesses in ways that are good for everyone involved, including employees, customers, communities, and the environment. This kind of thinking says that businesses should not only try to make as much money as possible, but they should also think about how they affect people and the environment. More and more, companies are required to make CSR a part of their main business plans since consumers are more aware of it, investors want it, and regulators are putting pressure on them. Because of the global need for climate change and sustainability, businesses are being asked to be more environmentally friendly, be open about their social and environmental performance, and help the United Nations' Sustainable Development Goals (SDGs). But along with this increased focus on CSR, a dishonest technique called greenwashing has come up, which is a big problem. Companies that greenwash make false, deceptive, or exaggerated statements about how eco-friendly their products or business operations are in order to make them seem more "green" or sustainable than they really are. Companies often do this to improve their image and attract environmentally sensitive customers without making real adjustments to decrease harm to the environment. Greenwashing makes CSR programs less real, confuses consumers' choices, and can slow down needed environmental changes by giving people a false impression of progress. It doesn't just trick stakeholders; it also hurts rivals who really care about sustainability. Also, these kinds of dishonest tactics can hurt the environment when firms use green certifications to avoid taking responsibility for damaging actions. Greenwashing makes it harder for current consumer protection laws, environmental regulations, and business disclosure requirements to work as they should. It raises important considerations about whether the rules are strong enough to make sure that advertising is honest, that companies are held responsible for inaccurate environmental claims, and that there is transparency. Regulators all over the world have to constantly find a balance between encouraging voluntary CSR programs and making sure that the law is followed to stop lying and defend the public interest. The goal of this research study is to give a full legal look at greenwashing in the context of corporate social responsibility. It will look at the current rules and regulations that regulate CSR, how they deal with greenwashing, how they are enforced, and some important cases. It will also find gaps that make it easier for greenwashing to happen. The study will also suggest policies and best practices that will make legal remedies to greenwashing stronger. This will help CSR keep its promise of real sustainability and corporate accountability. This paper looks at greenwashing from a legal point of view in order to help create a strong legal and regulatory environment

that protects the integrity of CSR, encourages openness, and makes it easier for businesses to help with sustainable development. It does this by showing how important the law is for making sure that businesses act ethically and safeguarding people, the environment, and society from false environmental claims.

2. The laws that govern Corporate Social Responsibility (CSR)

Corporate Social Responsibility (CSR) has grown from a voluntary moral obligation to something that is more and more regulated by law. This part looks at the current regulations that govern CSR and shows how they have been made to make sure that businesses are responsible for the effects they have on people and the environment.

2.1 A Look at the Laws About CSR

Several countries around the world have added CSR requirements to their business legislation, which means that corporations must act in a socially responsible way. For instance, the Companies Act of 2013 in India has a groundbreaking rule that says some companies must use a portion of their profits for CSR efforts. The law applies to corporations who meet certain requirements based on their net worth, turnover, or net profit. This makes CSR a part of corporate governance that may be enforced. The European Union has also worked to make CSR more open by passing rules like the Non-Financial Reporting Directive (NFRD), which says that big corporations must share information about how they protect the environment, treat their employees, and act responsibly in society. This way of regulating is meant to encourage responsibility and let stakeholders judge how well companies are doing at being sustainable.

2.2 The history and purpose of legal CSR requirements

Legal requirements for CSR have changed from encouraging businesses to be good citizens to making them do things that are meant to match their operations with the goals of society as a whole. The laws stress being open, taking care of the environment, being fair at work, and getting involved in the community. This change shows that more people are realizing that what businesses do has a big effect on sustainable development and that relying only on voluntary initiatives isn't enough.

2.3 International Standards That Help CSR

International rules also influence CSR activities, along with domestic legislation. The United Nations Global Compact, the OECD Guidelines for Multinational Enterprises, and the ISO 26000 standard on social responsibility are some of them. Even though they aren't legally binding, these standards set expectations for how businesses should act and are sometimes used to help develop national laws and rules.

2.4 Legal Consequences of Not Following the Rules

If a company doesn't follow the law when it comes to CSR, it could face fines, damage to its reputation, and even lawsuits from shareholders in some situations. More and more, regulatory bodies and watchdogs are keeping an eye on what companies say and do to make sure they follow the rules. The fact that CSR regulations can be legally enforced shows how the business world is changing: corporate responsibility is no more an afterthought, but a key part of doing business legally.

3. The legal effects and consequences of Greenwashing

Greenwashing is a big legal problem because it involves dishonest actions that trick people into thinking that items, services, or business operations are better for the environment than they really are. This part goes into great detail about the legal effects, relevant laws, enforcement, and penalties that companies face for greenwashing.

3.1 Laws and Rules That Deal with Greenwashing

To fight greenwashing, many laws in different places go after fraudulent advertising, misleading claims, and unfair business practices. The Central Consumer Protection Authority (CCPA) can punish companies that make false environmental claims since India's Consumer Protection Act, 2019, calls greenwashing an "unfair trade practice." The CCPA's proposed Guidelines for Prevention and Regulation of Greenwashing say that businesses must back up their environmental claims with clear and verifiable proof. They also say that phrases like "eco-friendly" that are ambiguous, or misleading are not allowed without proof. New rules like the Greenwashing Directive and directives like the Non-Financial Reporting Directive (NFRD) in the European Union are meant to make environmental claims clearer and more accountable. Companies that engage in greenwashing face heavy fines from the EU. For example, Volkswagen and Toyota were fined for giving false emissions reports and delaying disclosures. In the same way, the Federal Trade Commission (FTC) in the US enforces the Green Guides, which are rules for making genuine statements about the environment in marketing. The FTC and other groups, such as the Environmental Protection Agency (EPA), look into and take action

against false green marketing. Australia and Canada are two other countries that have put in place rules and enforcement mechanisms particularly to stop greenwashing. This is part of a global trend toward stricter regulation in this area.

3.2 Important legal cases and actions taken to enforce the law

Greenwashing has serious effects, as shown by high-profile incidents. The "Diesel gate" incident at Volkswagen entailed using software to cheat emissions tests. This led to lawsuits and fines and settlements totalling more than \$33 billion. This case is still one of the most important cases of greenwashing that led to legal action.

Companies like Godrej in India were penalized for making false promises about the environment. This shows how important it is to be clear and precise. The new rules give the CCPA the power to take strong action against similar wrongdoing.

Lawsuits against companies like Danimer Scientific for making false promises about how biodegradable their products are and Eni for running deceptive ads about biofuels show how much more attention and legal action are being taken to keep businesses accountable.

3.3 Agencies that enforce the law and regulate

Enforcement authorities are very important for keeping an eye on, looking into, and punishing greenwashing. The Ministry of Consumer Affairs in India is in charge of enforcing the CCPA, with help from the Advertising Standards Council of India (ASCI). The FTC and EPA in the US keep an eye on environmental marketing promises and punish companies who lie about them. The Competition Bureau in Canada recently finished establishing rules under the Competition Act to stop false advertising claims and punish companies that use them. The Competition and Markets Authority (CMA) and the Advertising Standards Authority (ASA) in the UK vigorously enforce regulations like the Green Claims Code to stop fraudulent environmental claims.

3.4 What happens and what legal risks do businesses face?

Companies who are found guilty of greenwashing face a number of penalties, such as big fines, required corrective advertising, damage to their brand, and lawsuits from shareholders. Legal proceedings not only cost firms money, but they also force them to be more open and responsible. Because the law is always changing, businesses need to be very careful to make sure that their environmental claims are true, backed up, and in line with strict government rules. Not doing so could lead to enforcement actions that hurt both your finances and your public trust.

4. Connection of greenwashing and Corporate Social Responsibility

The complicated link between greenwashing and corporate social responsibility (CSR) law shows both the strengths and weaknesses of current legal systems in encouraging real sustainability and stopping false environmental claims. This part looks at how voluntary CSR programs work with required legal standards, finds legal loopholes that make greenwashing easier, and thinks about the problems regulators have when it comes to keeping an eye on business behaviour in this area.

4.1 Voluntary CSR Initiatives vs. Legal Requirements

Companies have long seen CSR to operate ethically and think about the effects on people and the environment that go beyond what the law requires. A lot of businesses have CSR programs to show that they care about the environment, get involved in their communities, and run their businesses in an ethical way. However, because CSR is not required, there is frequently room for different levels of openness and responsibility. In some situations, firms take use of this freedom to greenwash, which means they act like they care about the environment without making any changes.

There is a dual-layered environment because there are both voluntary CSR activities and legal rules that must be followed. Legal regulations including disclosures, non-financial reporting, and environmental norms provide the lowest standards for compliance. However, voluntary CSR typically goes above and above these basic needs but doesn't have consistent oversight. This difference in structure lets firms choose which beneficial parts of CSR to share with the public, which can sometimes hide detrimental effects on the environment or avoid stricter legal scrutiny.

4.2 Legal Loopholes That Allow Greenwashing

Even while there are more laws around company disclosures and marketing claims, there are still big gaps that allow deceptive green claims to continue. This is partially because regulations against greenwashing are often scattered or hidden in larger laws about consumer protection, advertising, and the environment, rather than being its own set of laws.

Legal deterrence is even harder because it's not always clear what makes a claim "green" or "sustainable," the standards for checking claims aren't always the same, and enforcement isn't always as strict in other areas. Also, the fact that people have to record their own actions and that regulators have a hard time proving environmental claims make it hard to find and punish greenwashing quickly and effectively.

In addition, in many places, the rules and regulations haven't kept up with how businesses are changing and how they market themselves, which means there are gaps in the rules that firms may use to spread false environmental stories while seeming to be doing good things for the environment.

4.3 Problems with enforcing CSR law against greenwashing

To stop greenwashing, we need to make sure that voluntary CSR disclosures and regulatory requirements are in sync. Regulators have a lot of work to do because sustainability data is hard to understand, environmental claims are technical, and numerous companies operate in many different sectors and countries. It is hard to find the right balance between promoting voluntary CSR efforts that inspire corporations to come up with new ideas and take responsibility beyond what the law requires and strict enforcement against dishonest activities. Too many rules can kill real CSR efforts, while too few rules let greenwashing thrive, which hurts public trust and progress on environmental issues. To solve these problems, more and more people agree that we need clearer legal definitions, uniform criteria for environmental claims, third-party verification systems, and better international governance to reduce the enforcement gap. Regulatory organizations also need to be able to proactively keep an eye on company disclosures and enforce real penalties to stop greenwashing.

4.4 Moving Toward a More Unified Legal System

When greenwashing and CSR legislation come together, they need a unified legal strategy that balances openness, responsibility, and rewards. This kind of framework would bring together CSR rules and anti-greenwashing rules to make sure that firms can't use voluntary CSR as a way to make false claims. Stronger laws should require thorough checks of environmental claims, full non-financial reporting, and explicit punishments for breaking the rules. This all-encompassing approach also includes encouraging stakeholders to become involved and giving civil society the capacity to hold businesses accountable.

5. Dealing with Greenwashing – Legal Perspective

Corporations must follow the law and do their due diligence to stop greenwashing and make sure that their environmental claims and corporate social responsibility (CSR) actions are clear. This part looks at the legal responsibilities' companies have to report accurately, the ways they can do their due diligence to make sure they are being honest, and the role of corporate governance in lowering the dangers of greenwashing.

5.1 Legal Requirements for Reporting Environmental Information Correctly

In many places, the law requires businesses to give clear, accurate, and verifiable information on how their actions affect the environment and their attempts to be more sustainable. CSR rules, securities laws, consumer protection legislation, and environmental laws are some of the things that make these obligations happen.

For example, the European Union's Non-Financial Reporting Directive (NFRD) says that firms must include information about environmental hazards, sustainability measures, and social responsibility in their annual reports. Companies should not make imprecise or unproven claims; instead, they should provide clear statistics and performance indicators that have been checked against accepted criteria. The corporations Act of 2013 in India says that some corporations must include CSR reports in their yearly filings. These reports are getting more and more attention for their accuracy and completeness. Not following the rules could lead to fines and damage to the company's reputation.

5.2 Due Diligence Steps to Stop Greenwashing

Companies do due diligence to make sure that their environmental claims and CSR actions are true and backed up by evidence. This includes putting in place internal controls, audit systems, and checks by outside parties. More and more, laws are recognizing and requiring businesses to show that they are doing their due diligence when collecting and checking sustainability data. For instance, businesses may have to do environmental impact studies, check the procedures of their supplier chain, and hire outside auditors to make sure that the information they present is accurate. Due diligence helps find and reduce the risks that come with making false or misleading representations, which lowers legal liability and builds confidence with stakeholders.

5.3 What Corporate Governance and Accountability Do

To make sure that companies follow the rules and do their homework when it comes to CSR and environmental claims, they need strong corporate governance structures. Boards of directors, compliance officers, and sustainability committees are very important for making sure that disclosures are correct, defining ethical standards, and making sure that accountability is part of the company culture. Governance frameworks that include sustainability risk management in their business plans make it easier to find and stop greenwashing. Whistleblower protections and clear reporting mechanisms also make it easier to find such lies early on.

5.4 Consequences for failure in Due Diligence

Companies who don't follow the rules for due diligence and legal reporting face big legal consequences. These dangers include fines from the government, civil litigation for false claims, and potentially criminal prosecution in places where fraud or consumer deception laws are in place. Also, not following the rules might hurt your reputation a lot, which can hurt investor trust and the value of the market.

5.5 Using technology and standards to make compliance better

New technologies like blockchain, AI, and big data analytics help make CSR reports clearer and easier to follow. Using international standards like the Global Reporting Initiative (GRI) and the Sustainability Accounting Standards Board (SASB) helps make reporting more consistent and trustworthy. Regulators are increasingly pushing for the use of these kinds of tools and standards together to make compliance stronger and disclosures more believable, which will make it harder for companies to greenwash.

6. Policy suggestions for Greenwashing

To effectively fight greenwashing, we need a variety of rules and clear policy suggestions that improve monitoring, accountability, and business openness. This part looks at what national and international regulators are now doing, how well it's working, and suggests specific legislative steps that should be taken to make the legal framework stronger against greenwashing in the corporate social responsibility (CSR) space.

6.1 Current national and international regulatory approaches

Regulators all over the world have come up with several ways to deal with greenwashing. Most of these centres on being open and honest in advertising and having strict reporting rules.

- **National Laws and Guidelines:** A lot of countries have made rules against greenwashing that are specific to their own countries. For example, India's Central Consumer Protection Authority (CCPA) has put forth draft rules that say corporations must back up their statements with solid evidence and punish claims about the environment that are unclear or deceptive. The Green Guides from the US Federal Trade Commission (FTC) are similar in that they give extensive directions on how to make advertising claims that are true and discourage making claims that aren't backed up.
- **Initiatives by the European Union:** The Non-Financial Reporting Directive (NFRD) and the Corporate Sustainability Reporting Directive (CSRD) are two ways the European Union has taken the lead in regulating sustainability disclosures. The EU also has stringent punishments for corporations that make false statements about the environment, and these punishments are backed up by strong enforcement systems.
- **International Standards and Cooperation:** The United Nations Global Compact and the Organisation for Economic Cooperation and Development (OECD) are two examples of organizations that offer voluntary frameworks to promote ethical business behaviour. These standards aren't legally binding, but they do affect national legislation and help make CSR practices more consistent around the world.

6.2 Problems and holes in the current rules and regulations

- Even though things have gotten better, there are still big problems with regulations:
- Some companies take advantage of the fact that there are no clear criteria or guidelines for what makes a claim "green" or "sustainable."
- It's hard to implement rules that are spread out over consumer protection, environmental legislation, and corporate governance since they are different in different places.

The fact that enforcement organizations don't have the resources to aggressively check and verify corporate assertions makes deterrence less effective.

- Claims that can't be verified or are too big can still be made if people rely too much on voluntary disclosures and self-reporting.

6.3 Suggestions for policies that will make anti-greenwashing measures stronger

- **Here are some policy suggestions to help with these problems:** Set Clear Legal Definitions and Standards: Legislators should make clear definitions of greenwashing, standardize words connected to claims of sustainability, and require proof that these claims can be verified by science.
- **Unified Regulatory Framework:** Making greenwashing laws part of a single regulatory framework that includes consumer protection, environmental law, and corporate governance would make it easier to enforce and close gaps.

- **Required Third-Party Verification:** Policies should compel independent third parties to check environmental claims and CSR disclosures to make them more credible and cut down on bogus claims.
- **Better requirements for transparency and reporting:** Encourage or require full and standardized sustainability disclosures that are in line with international standards like GRI or SASB so that stakeholders may hold companies accountable.
- **More enforcement and harsher punishments:** Regulators should have the tools they need to actively look into and punish greenwashing, such as fines, mandatory corrective advertising, and blacklisting repeat violators.
- **Public Awareness and Stakeholder Engagement:** Governments should run efforts to raise awareness about greenwashing so that consumers may make smart buying decisions and report any strange behavior.
- **Working together internationally:** Because many businesses operate around the world, countries should work together to set and implement rules to stop jurisdictional arbitrage and make sure that anti-greenwashing measures are the same everywhere.

6.4 Promoting Best Practices That Are Voluntary

In addition to regulatory measures, offering incentives like tax breaks, public recognition programs, and sustainability certifications can encourage companies to implement optimal CSR practices on their own. This can help corporations put real environmental commitments ahead of fake marketing. This mix of strong rules, clear policy goals, and rewards for doing the right thing makes it hard for companies to greenwash and encourages real corporate social responsibility.

7. The Way Forward

Change the rules and use best practices to stop greenwashing. To successfully deal with greenwashing, we need to look to the future and make changes to the law, make sure the law is followed more strictly, and encourage companies to do the right thing to promote real corporate responsibility and environmental sustainability. This part talks about the most important changes and plans that can make the law and the culture of business stronger so that greenwashing doesn't happen and real corporate social responsibility (CSR) does.

7.1 Changes to laws and rules

- To make the legal system stronger against greenwashing, we need to make a number of changes:
- **Harmonization of Laws:** To fully address greenwashing, laws about consumer protection, environmental regulation, and business disclosures need to be brought into line with each other.
- **Clear and Enforceable Definitions:** To get rid of confusion and close loopholes, there should be clear legal definitions of greenwashing and sustainability claims.
- **Required Verification Standards:** Laws should demand that environmental claims and CSR reports be verified and certified by a third party, so that they don't have to rely on self-reported data as much.
- **Stronger Penalties and consequences:** Laws must include harsh penalties and quick consequences, such as fines, corrective advertising, and perhaps criminal charges for extreme incidents of greenwashing.
- **Promoting safeguards for Whistleblowers:** Making safeguards and rewards for whistleblowers stronger can help people find and disclose dishonest business practices.

7.2 Improving enforcement and monitoring

- To stop greenwashing, it is very important to have good enforcement:
- **Building the Capacity of Regulators:** Agencies should have the right tools, professional knowledge, and resources to keep an eye on, look into, and take action against false environmental claims.
- **Working together across borders:** Because businesses work all over the world, international regulatory cooperation and information exchange can stop people from breaking the rules and make it easier to enforce them.
- **Using Technology and Data Analytics:** Using AI, blockchain, and data analytics can make sustainability claims more clear, traceable, and verifiable in real time.

7.3 Encouraging the best practices in business

- In addition to following the law, it's important to create a responsible business culture:
- **Making Sustainability Part of Business Strategy:** Companies should make sustainability goals part of their fundamental business operations so that they can balance their financial performance with their social and environmental effects.

- **Transparency and Stakeholder Engagement:** Getting stakeholders, such as customers, investors, employees, and communities, involved in developing and reviewing CSR goals makes the company more accountable and trustworthy.
- **Voluntary Standards and Certifications:** Using reliable voluntary sustainability standards and getting independent certifications can show that you really care and help you stand out in the market.
- **Corporate Training and Ethical Leadership:** Leadership commitment and regular training programs on ethical marketing and sustainability can help cut down on greenwashing.

7.4 Raising public awareness and giving consumers more influence

Teaching and empowering customers is just as important:

Campaigns to Educate Consumers: Governments and NGOs should make people more aware of greenwashing so that they may think critically about environmental promises and make smart decisions.

Easy-to-use reporting systems: Giving customers easy ways to report potential greenwashing tactics makes it easier to keep an eye on things and take action together.

7.5 Moving Toward Sustainable Development Goals

Fighting greenwashing is part of a bigger effort to reach the United Nations' Sustainable Development Goals (SDGs) by making sure that companies' contributions are real and make a difference instead of just seeming good. Changes to laws and policies that make businesses more responsible build trust and help the environment, social justice, and long-term economic growth.

7. Conclusion

This research paper looks at the legal aspects of greenwashing and corporate social responsibility (CSR) and shows how law can help make businesses more responsible and protect the environment. Greenwashing, which is when companies make false claims about being environmentally responsible, hurts the credibility of CSR programs, confuses consumers, and may even harm the environment. The growing importance of CSR in corporate governance shows that people want businesses to act ethically and care about social and environmental issues, not just making money. It is clear that regulations governing CSR have changed from voluntary guidelines to include enforceable rules that require openness, reporting, and responsibility. Still, there are places where greenwashing can thrive because definitions are unclear, enforcement is inconsistent, and regulatory power is restricted.

Cases and enforcement actions across jurisdictions show that there are legal implications for greenwashing. This shows that regulators and courts are taking false environmental claims more seriously. To really fight greenwashing, though, we need a more unified approach that brings together voluntary CSR activities with legal requirements, makes due diligence and compliance stronger, and gives regulators more power.

This paper's policy suggestions include clearer legal definitions, required third-party verifications, uniform regulatory frameworks, harsher punishments, and working together on a global scale. In addition to these changes, encouraging best practices in business, raising public awareness, and giving consumers more power are all important steps toward creating an atmosphere where honest environmental statements are the norm and greenwashing is always stopped. In the end, the regulation is very important for keeping firms from making false promises while also giving them reasons to implement environmentally friendly activities. By using strong legal measures to fight greenwashing and promoting ethical business practices, society can move toward real sustainable development and restore faith in corporate social responsibility.

This thorough legal analysis shows that stopping greenwashing is not only a regulatory issue, but also a crucial step to make sure that CSR lives up to its promise to have a good impact on the environment and society. To reach this goal, there must be continued legislative innovation, careful enforcement, and involvement of all stakeholders.

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