

Critical Review Of Sebi In The Backdrop Of Financial Scams

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ABSTRACT

An intentional act committed for getting an unjustifiable and unlawfully acquiring by hurting or harming others is commonly termed as Scam. As indicated by the Securities Exchange Act (1934) SEA "It will be unlawful for any individual to participate in any demonstration, practice or strategy which works or would work as a misrepresentation or misdirection upon any individual regarding the buy or offer of a security." Here is a certain foundational risk implied in the event that vendors or banks get into settlement issues during the most widely recognized approach to executing in securities. Given that this is valid, it achieves a flowing kind of impact, which could make issues for various banks and traders in the structure. The amount of past assessment reveals the various pieces of the assurances and financial deceives anyway in this survey, an undertaking is made to orchestrate the causes which made the money related crisis so grave. The amount of plans and rules were done to save from securities and financial cheats, all the while there are a few stipulations which causes corporate fakes. Appropriately, there is need to look at the impact of stunts on the authoritative framework. The audit attempts to sort out the explanations behind these stipulations, as well as the responses of the managerial bodies on these stunts. The objective of the audit is to know the impact of insurances and monetary tricks on administrative structure. A careful investigation of the first principles and guidelines along with the redresses made in the principles and rules of the regulatory experts due to the occasion of stunts was driven. This study is expressive in nature. It attempts to know about the effect of insurances and money related stunts on the authoritative framework. Along these lines, the abstract assessment of data is done to achieve the objective.

Keywords: *Financial Scams, SEBI, Securities*

I. INTRODUCTION

In the post-change time of the most recent twenty years, one of the more significant advancements working with a faster speed of financial improvement has been the formation of controllers. These are legal substances that were put beyond the hardware of the public authority, however given powers to control and direct an area. One explanation the public authority made such substances was to have master bodies to direct areas where they confronted a rising intricacy of financial exercises. Here, the controller would have the area information to manage such complex issues.

The main legal administrative body that the public power of India set up post the progressions of 1991

was the SEBI. As a controller for the protections markets, SEBI was given the powers to make subordinate guidelines and investigate terrible way of behaving, and force significant disciplines. Since the fortifying of the SEBI through an Act of Parliament in 1992, SEBI has thought of various drives pointed toward directing and fostering the Indian protections market and chipping away at its prosperity and capability. This integrates public issuance of protections, the discretionary market, and enlistment for delegates. The justification behind SEBI is three-cross-over:

- (a) security of the financial backer,
- (b) prudential rule of protections markets delegates and
- (c) advancement of the business sectors¹.

¹ SEBI Act 1992, preamble.

As of late rehashed unfortunate behavior in the securities exchange has prompted a picture of chaos, absence of straightforwardness, and extortion ruling the monetary area. Subsequent implodes in the securities exchange have brought about a deficiency of trust in the personalities of financial backers, homegrown and unfamiliar. Likewise considering late administration tricks, there may be a need to rebuild its strategies and execution process. Holes in regulation should be filled and thusly the dynamic part should be accepted by the parliament too to ensure criminal operations like insider trade, and administration scandals like that of Satyam never again represent a danger to the financial backers on the lookout.

I.I. History of SEBI:

Before Sebi was founded, the Controller of Capital Issues had the authority to control the market thanks to the Capital Issues (Control) Act of 1947. The purpose of Sebi's establishment was to regulate India's financial markets. Since Sebi was not a statutory entity when it first began, it had no legal standing. In 1992, Parliament approved the Sebi Act, giving it statutory and independent authority.

I.II. Functions & Powers of SEBI:

Sebi regulates the stock market, protects investors' rights, and ensures the safety of their capital. Its legislative restrictions and self-regulatory corporate practises are intended to be harmonized to reduce fraud. As an added benefit, the regulator facilitates the development of a robust, professionally-run market for intermediaries.

In addition to these features, Sebi also offers a market in which issuers may appropriately grow financing. Additionally, it guarantees the investors' security and the delivery of truthful data. For the sake of keeping the securities market honest, Sebi monitors stock trades and looks for any signs of fraud. The stockbrokers and sub-stockbrokers are under its jurisdiction. Investors' understanding of the market is bolstered by the materials provided.

SEBI has various functions that can be categorized into three categories:

❖ **Protective functions** To protect investors against price fixing, insider trading, fraud, and other unfair business activities; to educate investors about the market; to encourage ethical business practises and a code of conduct in the securities industry; and to promote these goals via various initiatives.

❖ **Development functions:** Educating middlemen

via training programmes; One goal is to increase participation on the stock exchange. Internet trading was legalised, underwriting was made discretionary, etc.

❖ **Regulatory functions:** Requiring everyone from stockbrokers to share transfer agents to trustees to merchant bankers to register; Stock exchanges have been audited, mutual funds have been registered, takeovers of firms have been regulated, and a code of conduct has been developed for intermediaries.

For the discharge of its functions SEBI is given various powers. Some of these powers are as follows:

1. stock exchanges need to get their rules approved.
2. To propose a reform to the regulations governing stock exchanges.
3. Routinely request stockholders report to you and review their accounts.
4. Review the financial records of middlemen
5. Require certain businesses to list their stock on a public exchange
6. Brokers must be registered

The rules that SEBI establishes are legally binding. It carries out investigations of criminal activity and issues directives. When challenging a decision made by SEBI, investors must do so before the securities industry's appeal tribunal.

I.III. Achievements of SEBI:

Founded in 1993, SEBI celebrated its silver anniversary in 2013. When assessing SEBI, it is important to remember its humble beginnings and the obstacles it overcame, such as a government that was initially unsupportive. When SEBI got going, they were already behind. In order, below are SEBI's top five accomplishments:

- **Dematerialisation of shares** Dematerialization of shares was first implemented by SEBI when the depository act was passed. This advancement assisted in reducing issues like certificate duplication, delivery delays, forgeries, etc. With the advent of computerised trading, processes have become much more streamlined and time-efficient.
- **Rolling settlement process** While T+5 was the settlement cycle in 2001, T+2 was used in 2003. T+1 settlement cycle is a target of SEBI's. One of SEBI's major accomplishments is its promotion of market expansion.
- **Stronger and clearer regulations** There were powerful broker lobbies in the early days of SEBI, but the organisation was also met with

widespread respect and dread. Its rules and mandates are now better than ever.

- **Fostering mutual Fund industry** To promote the growth of the mutual fund business and reduce the prevalence of distributors engaging in fraudulent activity, SEBI has implemented a number of measures. It loosened Know Your Customer requirements for retail investors and recruited rural India's postal agents to expand its reach. In 2009, it outlawed initial load fees for mutual fund investments.
- **FII** The Indian stock markets have been open to foreign institutional investors (FIIs) since 1993. The FII investment cap has been regularly adjusted by SEBI since 2004. Offshore derivatives product like participation notes attracted a significant amount of foreign capital. Although C.B. Bhave overturned a restriction on the issuance of participation notes in 2011 in an effort to prevent the devaluation of the rupee, which had been in effect since 2007.
- **Other achievements:-**
 - The SEBI has released comprehensive recommendations for all businesses to follow in terms of information disclosure and investor protection.
 - It de-emphasized underwriting in an effort to lower the issuance price. A large number of corporations have faced prosecution by SEBI for tardy share transfers and refunds of public funds.
 - It has published regulations for mergers and acquisitions, as well as for middlemen
 - For the benefit of investors, SEBI has released a variety of helpful publications.
 - Merchant banking regulation is a priority. The offer document and issuance procedure now places significant responsibility on merchant bankers.

I.IV. Problems And Emerging Challenges:

The intellectual leadership of SEBI has contributed to the transformation of the equity market. SEBI encounters a multitude of challenges and barriers. At early, SEBI's objectives were not clear, and the organisation was susceptible to pressure from lobbyists. Despite the fact that SEBI regulations are laws, the process by which they are created leaves much to be desired. Evidences have no bearing on either the process of creating rules or the post-hoc evaluation of such regulations. SEBI has created a number of rules, but it is not

² Ashima Goyal, „Regulation and Deregulation of stockmarket in India“ p.10,<
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=609322>

³ Preamble of The SEBI Act 1992.
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enough for it just to make regulations and issue orders if it lacks the power to implement them. The regulatory and enforcement roles of SEBI need to be strengthened. It must make sure that any kind of infringement is reported, no matter how little.

In contrast to the US Securities and Exchange Commission, which alone employed nearly a thousand people in 2012, SEBI employed 643 people. Human capital, as we all know, is a company's most valuable asset. SEBI has to hire more people, and better people. In order to function better, it must dramatically upgrade its market knowledge, technological capabilities, and human resources.

II. SEBI AS A REGULATORY BODY

The financial changes of the mid-nineties moved accentuation away from focal wanting to a more market-situated monetary cycle. The job of the public authority moved away from running organizations towards guideline and oversight. Simultaneously, new supervisory elements were made. The CIC Act 1947, directed by the CCI, addressed capital issues in India. As a component of changing changes CCI was invalidated, and SEBI set up in 1988, was made a lawful body in 1992. Adaptability was expected to answer market trade, and to emerging necessities in the Indian setting. There has been a consistent undertaking to deal with administrative practices and add to the constant capital market changes².

SEBI works under a legitimate order of market improvement and advancement, alongside financial backer security and market guideline, as the legal obligation of the regulator³. Conversely, demonstrates that market improvement is certainly not an express objective there of brain of either the U.S. then again the U.K. protections market controller⁴.

• Duties as a Regulator

The SEBI Act, 1992 gives the obligations of the controller which incorporates:

1. Directing mediators through guidelines, rather than through government informed rules.
2. Denial and anticipation of Insider Exchanging.
3. Outlining Guidelines for Take-overs.
4. Forestalling out of line trade practice and also for the market control.

⁴ Dharmistha Raval, „ Improving the Legal Process in Enforcement at SEBI“, p. 7,<

5. Controlling issue of capital.
6. Controlling the stock-exchanges and exchanges related to the stock-exchanges.

The SEBI Act, 1992 empowers SEBI to draft rules to control the market and delivery its capacities and commitments. While the objectives are given in the SEBI Act, 1992, the execution nuances are given to the controller. The protections market is coordinated more through rules than through the SEBI Act, 1992.

Other than the parent Act, SEBI likewise has abilities under the arrangements of the SCR Act, 1956⁵, to encourage the framework to oversee stock endlessly trades on the stock trades, as well as the safes under the courses of action of the Stores Act, 1996⁶.

III. SCAMS AND ITS EFFECT ON FINANCIAL MARKET

The Regulatory structure must be molded to take special care of the nation's changing monetary situation. With advancement, the job of the public authority as an immediate player is by and large dynamically diminished. Prior, the Public authority had significant control over a huge piece of monetary action and went about as a strategy creator, regulator, and specialist co-op in a few areas⁷.

Endeavors to isolate these capabilities have been happening starting around 1991 and should proceed. Whatever the pieces of the Public authority concerning the economy all in all, the elements of the Public authority as a policymaker have changed and will change as the economy changes towards progressively more market course. There is an insightful effort at isolating Government from everyday guideline, enlarging the independence of Regulators and supplying them with legal powers. Simultaneously, Regulators have been viewed as needing and they don't impart trust in the financial backer.

"Scam" must be viewed as transcendently in the Stock/Capital market setting. Individual occasions of money related distortion in themselves may not contain a stunt. However, consistent and undeniable misappropriation of public funds falling under the space of lawful controllers and

including issues of organization transforms into a stunt.

Market scams make significant harm the capital market, the average financial backer and market opinion. In addition to other things, such rehashed tricks lead to negativity and a deficiency of confidence in the framework as different segments of society begin accepting that securities exchanges are controlled, banks are routinely swindled and the regulators don't view their work in a serious way.

India has had its reasonable portion of scams since mid 1991:

Harshad Mehta Scam: This is maybe the most notable of every single monetary trick - presumably in light of the fact that it occurred in an exceptionally noticeable period - financial changes had quite recently been begun in 1991. Harshad Mehta rushed to understand the shortcomings of the financial framework, and took advantage of these shortcomings as far as possible. He figured out how to obtain tremendous measures of cash utilizing the purported "Prepared Forward" bargains, and utilized this cash to buy a lot of offers at gigantically expanded costs. He acquired the sobriquet of "Large Bull" because of this inclination. Afterward, the banks took care of business of his dark courses of action, and requested their money back⁸.

UTI Trick: The Unit Trust of India (UTI) stayed the individual instrument for premium in the field of capital market. Being an instrument, UTI rode the financial exchange ascent of 1990 and its lead plot, US 64, continued to guarantee returns as high as 18%, till the "Ketan Parekh stunt" burst the market. An undeniable sudden spike in demand for the securities exchanges would have likely resulted had the public authority not come out with a salvage bundle⁹. UTI Act was revoked, UTI was separated, and UTI Common Asset actually runs, yet presently like some other shared store, controlling under 10% portion of the market and working a good way off from the government¹⁰.

Ketan Parekh: A certified CA, and a stock representative, distinguished various stocks (prevalently called the K-10), and took up colossal

⁵ Securities Contract Regulation Act, 1956 (No. 42 of 1956).

⁶ The Depositories Act, 1996 (No. 22 of 1996).

⁷ Dharmistha Raval, „Improving the Legal Process in Enforcement at SEBI“, p. 11,<

⁸ Joint Committee Report on Stock Market scams and matters relating thereto, Vol-1 Report, para Copyrights @Kalahari Journals

2.5.

⁹ Santi Swarup, K., „Measures for improving common investor confidence in Indian primary market.

¹⁰ Joint Committee Report on Stock Market scams and matters relating thereto, Vol-1 Report, para 2.7

situations in these. For this reason, he utilized countless Benami records and more unassuming stock trades, for instance, the Kolkata and Ahmedabad stock trades. He additionally acquired intensely from banks, for example, GTBank and Madhavpura Mercantile Agreeable Bank. A group of dealers, Anand Rathi, Nirmal Bang and Shankar Sharma, known as the bear cartel, submitted sell requests on KP's most cherished stocks, the implied K-10 stocks, and crushed their extended expenses. To be sure, even the borrowings of KP set up couldn't shield his scrips. The GT Bank and the Madhavpura Supportive were gone to indebtedness as the money they had lent Parekh went into a void with his evidently generally cherished K-10 stocks¹¹.

Initial public offering Scams: various key administrators, including corporate stock specialists like Karvy and Indiabulls, were engaged with the Initial public offering trick that spread over the years 2004 - 2005. The usual methodology was basic - the administrators would open thousands of phony records to buy partakes in Initial public offerings, in the desire for selling later at colossal benefits. A spate of Initial public offerings gave during this period was vigorously oversubscribed because of this trick, once in a while by as much as 40 times¹².

Satyam Scandal: In 2009, Ramalinga Raju, director of Satyam PC Administrations, confessed to misrepresentation in the organization financial records and different abnormalities, and sent a chill down the aggregate spine of the Indian monetary framework. Coming on the back of the worldwide slump, this episode promised to bust the Indian reconsidering industry and the protections trade, but for some deft bailout work by the public power. Mr. Raju himself had admitted to anomalies worth around Rs 12,000 crores.

GDR scam: Reassessing a trick including Global Safe Receipt (GDR) issues, the SEBI banished seven associations from giving any offers or convertible instruments or changing their capital plan in any capacity. As per the Sebi, a huge piece of these associations gave GDRs in 2009. The typical strategy of the alleged maltreatment was to give gigantic assessed GDR issues in abroad business areas and afterward leisurely proposition

it in a coordinated manner to Indian clients most certainly known to the FIIs¹³.

IV. THE RECENT CONTROVERSY ADANI Group & Hindenburg Report

The Hindenburg report - the undulating impacts it made drove Adani Endeavors cancel ₹20,000 crores FPO. Adani Endeavors stocks experienced a huge deficiency of 28.45% on February 1, 2023, shutting at ₹2,128.70. Following the occasion, Adani Gathering reported to cancel their ₹20,000 crores FPO and return financial backers' cash. They expressed that they did it to protect financial backers' inclinations.

In the report, Hindenburg blamed Adani Gathering for "baldfaced stock control and bookkeeping misrepresentation conspire throughout the span of many years." Despite the fact that Adani reprimanded the report as unjustifiable and malevolent and even compromised judicial procedures against the detailing organization, the market reaction was prompt and fierce. Adani Gathering stocks were hit severely. Seeing the unpredictable market reaction, the Adani Board declared that it isn't 'ethically right' to go on with the FPO.

- Citibank Inc's abundance arm reported to quit tolerating Adani Gathering's bonds as security for edge credits and increase examination against the organization's monetary circumstances.
- Citibank Inc. is the second organization to quit tolerating Adani bonds as guarantee. Before them, Credit Suisse yesterday said that following a precarious decrease in the worth of Adani bunch bonds, it has quit getting those as guarantee for edge credits.
- LIC, one of the essential financial backers in the Adani Gathering, likewise said to ask with the organization in regards to the claims made in the Hindenburg report. LIC is cited as expressing that as a financial backer, it has each option to ask about the said extortion.

Following the series of occasions, the RBI guided neighborhood banks to refresh the subtleties of their openings in the Adani gathering of organizations. Adani Endeavors' stocks have fallen further after the FPO got canceled. Adani Undertakings stocks

¹¹ Joint Committee Report on Stock Market scams and matters relating thereto, Thirteenth Lok Sabha, Vol-1 Report, para 2.5.

¹² Monika Halan, „A Broker goes for Broke“ <<http://www.livemint.com/2009/08/25215204/Th-e-broker-goesfor-broke-Sea.html>> .

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¹³ Mani Shankar Aiyar, „Stock Market Scam And UTI Imbroglio“ Economic and Political Weekly March 8 2003, p 2, <http://epw.in/epw/uploads/articles/2569.pdf>.

lost another 13.47% on February 2, 2023, to exchange at ₹1,847.70. The Gautam Adani Gathering's leader organization stocks have slumped 30% in the midst of Credit Suisse news. Every one of the ten stocks having a place with Gautam Adani are trading the red zone. This event is one of the recent Financial Scams upon which SEBI will make decisions.

V. COMBATING SCAMS: PROPOSALS FOR CHANGE

Killing business sector scams are critical for nations that have set out on a course of transforming their monetary and capital business sectors for speeding up development. India needs to persistently endeavor to keep a suitable agreement between market an amazing open door and administrative discipline for ensuring strength in the improvement cycle. To be sure, even a made nation like the US - with a dynamic financial and protections market and various modern regulatory establishments - can turn into a survivor of intermittent „deregulatory spasms“¹⁴.

There is a well established worry that the managing organizations are not satisfactorily prepared and capable of releasing their essential obligation of saving the honesty of the market processes¹⁵.

A few changes that the SEBI ought to embrace are examined beneath.

a) Rule making Interaction by the Government:

Despite the fact that the SCR Act contains game plans for allotting powers of the GOI, the public power holds powers for rule verifying locale of the protections market¹⁶.

There is serious solid areas for a to be made at this period of protections market improvement, to contemplate changing the above plan of the Demonstration to move more administrative commitment onto the controller. Not the least bit like the SEBI pattern of rule making for the protections, the GOI connection is neither clear nor does it follow any consultative cycle while telling the rules under the SEBI Act. There have potentially been several events when such a

communication has been followed. The Demonstration should in like manner be revised to ensure that, paying little mind to which government is in power or the government worker in charge, a consultative clear cycle is continually gone on in the standard making process. There is no thinking legitimizing the secret in the standard making pattern of the GOI.

b) Inner Constitution SEBI:

Controllers from one side of the planet to the other select people, who rehearsed guideline in the end of time in their calling, as the head of the affiliation. It is unusual that SEBI doesn't gain a few whole experiences genuine part to coordinate the controller. It is proposed that the SEBI Act be modified so the SEBI Board includes something like one WTM with adequate reasonable inclusion with guideline and genuine practice. The presence of a committed wholetime genuine part, and an alternate game plan of authorities liable for semi lawful capacities, at SEBI won't just give the inclination that equity is finished yet in addition that equity supposedly is done¹⁷.

c) Handouts: extension and upkeep:

Successive alterations to the guidelines antagonistically impact the exchanges which are in pipeline other than making weakness. SEBI is known to give presents under the rules. It is exceptionally difficult to screen the booklets gave by SEBI. There is a need to orders fliers in an anticipated manner and track it in the public space so there is most outrageous clearness in rules. This could be worked with a central system that is made inside SEBI, so all of the main presents are halfway recorded and the sequencing of these is preserved¹⁸.

d) Examinations by SEBI:

The investigating arrangement of SEBI is another district that is obscured with weakness by which the monetary sponsor, or the market individuals, have barely any insight into the time slot inside which the assessments will either be begun, or kept approaching, or wrapped up. In SEBI, there is no

¹⁴ Mani Shankar Aiyar, „Stock Market Scam And UTI Imbroglio“ Economic and Political Weekly March 8 2003, p 2, <http://epw.in/epw/uploads/articles/2569.pdf>.

¹⁵ D.N Ghosh, „Market Scandals and Regulatory Governance“ Economic and Political Weekly May 17, 2010, p1918

¹⁶ IPO Plot Thickens, Economic and Political Copyrights @Kalahari Journals

Weekly May 13, 2006.

¹⁷ SEBI Cracks Down On GDR Scam, Sebi cracks down on GDR scam | News Archive News, The Indian Express

¹⁸ D.N Ghosh, „Market Scandals and Regulatory Governance“ Economic and Political Weekly May 17, 2010, p 1916

game plan of cutoff and subsequently assessments can be begun at whatever point and can be continued impending for many years. A structure ought to be set up by which any assessment that is begun would normally come up for study inside the relationship, after the predefined time span. This would ensure that assessments are not continued approaching for incredible spot of time, which would annihilate any maltreatment on this account¹⁹.

e) Interaction of leading settlement/ enquiry/ request:

Extraordinary execution is principal for strong rule. Activities SEBI takes are by and large under Section 11, Refusal of Phony and Ridiculous Trade Works on Interfacing with Protections Markets²⁰, and Section 13 (4) Methodology for Holding Enquiry and Forcing Penalties²¹.

The framework followed for giving heading under Fragment 11 and 11(B) of the SEBI Act, 1992, passing reformatory orders against a center individual, and constraining cash related discipline are different under the Demonstration. Three particular approach are suggested under the Demonstration, rules and rules while taking disciplinary methods. This oftentimes transforms into a justification for confusion to monetary supporters and noticees concerning what strategy which will be followed by SEBI to pass orders under the SEBI Act, 1992.

A formal technique gave under the SEBI Rules to disciplinary systems will make the methodology more detectable and fundamental for all the notices to understand²².

f) Orders of the semi legal power:

After the singular hearing is done and the formed passages are gotten, an examined demand should be rapidly passed by the power. One part to prevent maltreatment of capacities is through overhauled blunt. By and by, SEBI moves orders passed by the enquiry/demand/refereeing master on its site, where it will in general be uninhibitedly seen.

Regardless, there have been models when the orders have not been put on the web-site²³.

To ensure that this doesn't happen, and that there is liability if the orders are not posted on the site, it is major that there is a compulsory game plan requiring SEBI to move obligatorily everyone of the orders on the site.

VI. CONCLUSION & SUGGESTION

The SEBI has been working now as the protections markets controller starting around 1991, and has appeared to have done a good endeavor in keeping up with the order it was blamed for, in a period of high turn of events and reasonably raised levels of monetary eccentrics. The principles considering which the component was made has put it in a worthwhile position. A portion of these principles recollect a clearness for the order it was to finish, non-impedance from the public power, legitimate powers to give subordinate guideline which can be prompted expediently to oblige the quick changes that occurs in the qualities markets in India and the powers to execute the administrative command.

The legitimacy of SEBI as a controller moreover appears to have been worked with monstrously by the development of explicit courts with specific space data that can rapidly review administrative activities. Likewise during the time spent guaranteeing that the business sectors foster so that the objective of protections markets continue to be met, the legitimate cycles at SEBI have additionally kept on developing in accordance with more elevated levels of straightforwardness of cycles, clearness of activities and credibility of genuine activity. Concerning advancement, motorization, openness, risk control, and reduction in exchange costs Indian bourses have outmaneuvered those in made countries. More participation and significance of instruments are required. This will happen with a rebuilding of improvement and more essential confidence in the better really looking at structures. India has moreover taken up the new mechanized trading system algorithmic trading which hopes to reduce

¹⁹ D.N Ghosh, „Market Scandals and Regulatory Governance“ Economic and Political Weekly May 17, 2010, p 1916

²⁰ SEBI Prohibition of Fraudulent and Unfair Trade Practices relating to the Securities Market Regulations, 1995,

²¹ SEBI Procedure for Holding Enquiry by Enquiry Officer and Imposing Penalty, 2002,

²² Nageswaran V. A. and S. Krithivasan, “Capital market reforms in India and ASEAN: avenues for Copyrights @Kalahari Journals

co operation”, paper presented at the 1st ASEAN-India Roundtable, February 9-10 -2004, Singapore , p 23.

²³ Ashima Goyal, „Regulation and Deregulation of stock market in India“ p .10, <

http://papers.ssrn.com/sol3/papers.cfm?abstract_id=609322>

human error in gigantic volume transactions²⁴, SEBI has recently arisen with rules in respects to the same²⁵.

A piece of this task has been given to proposing different changes that SEBI ought to hope to embrace. It is to the best benefit of the market that the controller continues to create and traverse any openings between current cycle and what the norms driving a fair administrative working would propose, we suggest that SEBI continues to calibrate the genuine cycles, particularly in necessity, to achieve better levels of clarity on rule and the legitimate communication.

REFERENCES

ACTS AND REGULATIONS:

- The SEBI Act 1992.
- The Depositories Act, 1996.
- The Capital Issues (Control) Act 1947.
- Securities Contract Regulation Act, 1956.
- SEBI Prohibition of Fraudulent and Unfair Trade Practices relating to the Securities Market Regulations, 1995.
- SEBI Procedure for Holding Enquiry by Enquiry Officer and Imposing Penalty, 2002.

ARTICLES:

- Ashima Goyal, „Regulation and Deregulation of stock market in India“ p .10,
- D.N Ghosh, „Market Scandals and Regulatory Governance“ Economic and Political Weekly May 17, 2010, p 1918 < <http://epw.in/epw/uploads/articles/2805.pdf>>
- Dharmistha Raval, „Improving the Legal Process in Enforcement at SEBI“, IPO Plot Thickens, Economic and Political Weekly May 13, 2006, <<http://epw.in/epw/uploads/articles/2057.pdf>>
- L.K Singhvi, „Surveillance: Challenge and Reality“, Mani Shankar Aiyar, „Stock Market Scam And UTI Imbroglio“ Economic and Political Weekly March 8 2003, p 2,< <http://epw.in/epw/uploads/articles/2569.pdf>>
- Mobis Philipose, ‘SEBI’s integrated market surveillance needs a boost’ Electronic copy available at: <https://ssrn.com/abstract=2293378> iv Monika Halan, „A Broker goes for Broke“
- Nageswaran V. A. and S. Krithivasan, “Capital

market reforms in India and ASEAN: avenues for co operation”, paper presented at the 1st ASEAN-India Roundtable, February 9- 10 - 2004, Singapore

- R. Yegya Narayanan, „Algorithmic trading gaining ground“
- Sachin P Mampatta & Nitin Shrivastava, „SEBI sets curbs on algorithmic trading“
- Santi Swarup, K., „Measures for improving common investor confidence in Indian primary market: a survey“, NSE Research Initiative, Working paper no. 28, December 2003.
- SEBI Cracks Down On GDR Scam, Sunanda Sen, „Speculations, Scams, Frauds and Crisis“, Economic & Political Weekly March 21, 2009 vol XLIV no. 12.
- The New York Times, „Ponzi Schemes“
- Viral V Acharya, ‘State overreach: some lessons for India’,

REPORTS:

- Joint Committee Report on Stock Market scams and matters relating thereto, Vol-1, Tabled at Thirteenth Lok Sabha.
- NSE (National Stock Exchange), 2003, Indian Security Markets: A Review, and earlier issues,

²⁴ R. Yegya Narayanan, “Algorithmic trading gaining ground”

²⁵ Sachin P Mampatta & Nitin Shrivastava, „SEBI sets