Page 1464 - 1478 **DOI:** https://doij.org/10.10000/IJLMH.114985

INTERNATIONAL JOURNAL OF LAW MANAGEMENT & HUMANITIES

[ISSN 2581-5369]

Volume 6 | Issue 3

2023

An Exposition on the Varied Tapestry of Regulatory Frameworks Governing Price-Sensitive Information and Market Manipulation Laws: A Trilateral Dissection of the USA, UK, and India

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ABSTRACT

This scholarly exploration ventures into the deleterious impact of the vile practice of insider trading on the economic substratum and the expansive macroeconomic panorama of India, adroitly highlighting the corrosive influence it exerts on the bedrock of trust in our marketplace. The exposition sheds light on the immediate aftermath, a sinister spectacle that includes the distortion of market efficiency, the precipitous decay of investor trust, and the emergent landscape where a privileged cohort exploits the unassuming majority. The analysis further delves into the indirect reverberations, marked by a contraction in market liquidity and an upswing in risk, as investors, shackled by fear, withdraw their capital, or adopt a cautious approach to future investments. Our treatise ventures beyond merely quantifying the pecuniary damage inflicted by insider trading, to scrutinising its broader implications on the pulsating rhythm of economic growth, particularly its potential to deter the flow of foreign direct investments, thereby undermining India's charisma as a lucrative investment destination. We traverse the intricate labyrinth of regulatory edifices erected to curtail insider trading in India, raising questions about their efficacy, and thereby underlining the pressing need for more stringent enforcement of existing laws, elevation of corporate governance standards, and an amplification of investor awareness. The discussion also meanders into the realm of price-sensitive information in the US, UK, and India, dissecting their respective regulatory mechanisms and their bearing on the retail investor community. This probe, thus, emerges as a comprehensive compendium of the multifarious repercussions of insider trading, advocating for strategic countermeasures to bolster the robustness of India's capital markets, and assure their sustainable progression. We beckon policymakers, regulators, and stakeholders to collaborate in an orchestral endeavour to erect a formidable bulwark against this pernicious practice and secure the future trajectory of our financial landscape.

Keywords: *Insider trading, Economic substratum, Macroeconomic panorama, Pecuniary damage, Economic growth, Foreign direct investments, Investment destination, Regulatory*

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edifices, Enforcement of laws, Corporate governance standards, Investor awareness, Price-sensitive information.

I. INTRODUCTION

In the labyrinthine mosaic of our financial bazaars, Price Sensitive Information (PSI) epitomises an essential filament, carrying profound ramifications for the denizens of the market, the expansive macro economy, and the ethical bedrock of our financial cosmos. PSI, or 'material non-public information', embodies any nugget of knowledge or data about a corporation that could, once unfurled, appreciably sway the valuation of its securities. It wields a formidable influence, with the might to alter investor behaviour, ignite tectonic shifts in the market, and at junctures, even sculpt the contours of our economic panorama.

For the army of retail investors, PSI presents itself as a Janus-faced entity. On one flank, it tantalises with the allure of prospective riches; on the other, it threatens with the risk of crippling losses. Access to such information, when democratically disseminated, can empower retail investors to craft enlightened financial decisions, thereby nurturing a climate of market efficiency. However, the misuse of PSI, colloquially termed insider trading, is deemed a malpractice, a breach of the sacrosanct principle of fairness that forms the backbone of the market.

Insider trading, the act of trading predicated on confidential material information, warps the fabric of market integrity, undermines the faith of investors, and hampers the smooth allocation of resources. At its very heart, it signifies an unjust aggrandisement of a privileged few at the expense of the uninformed multitude, thereby sowing seeds of distrust and germinating inequity in the markets. Consequently, the assessment, dissemination, and regulation of PSI assume a pivotal role in preserving the balance of the financial markets, shielding investor interests, and safeguarding the vitality of our economy.

(A) USA

A Delicate Scrutiny of the Associated Statutory and Punitive Measures Introduction Price Sensitive Information (PSI), also known as material non-public information, is a rather complex term that refers to a reservoir of data about publicly traded companies that, if revealed, could significantly alter the price of their securities. This information encompasses a wide array of elements such as earning reports, intended mergers, modifications in management, or the unveiling of new products. The meticulous regulation and management of PSI are instrumental in upholding transparency, equitability, and integrity in the financial markets. This discourse delves into the statutory and punitive measures that govern PSI in the United States.

Regulatory Machinery in the USA: The Securities and Exchange Commission In the US, the task of regulating PSI is entrusted to the Securities and Exchange Commission (SEC). This esteemed body was constituted following the notorious stock market crash of 1929, and it shoulders the responsibility of safeguarding investors, sustaining equitable and efficient markets, and facilitating the creation of capital. Legal Provisions The principal legislation that addresses PSI is the Securities Exchange Act of 1934. Rule 10b-5 under this Act imposes a ban on fraudulent or deceptive activities related to the buying or selling of any security. This rule effectively outlaws insider trading, a practice where individuals having access to non-public material information about a company exploit it for trading shares. Furthermore, the Sarbanes-Oxley Act of 2002 instituted several reforms to augment corporate responsibility, and financial disclosures, and combat corporate and accounting fraud. [3]Section 302 necessitates senior corporate officers to certify the accuracy of the reported financial statements. Regulation Fair Disclosure (Reg FD), an important rule implemented in 2000, mandates all publicly traded companies to reveal material information to all investors simultaneously. This thwarts any selective group of investors from gaining an unfair edge in trading. Punitive Provisions Empowered with the authority to levy civil penalties for violations of the Securities Exchange Act, the SEC stands as a formidable custodian of financial integrity. Consider, for instance, the individuals ensnared in the web of insider trading. They may find themselves facing fines that soar up to thrice the profits reaped or losses circumvented through their unauthorized trades. The Sarbanes- Oxley Act, which added another subcaste of complexity, has placed the fiscal sector on notice by strengthening the penalties for fraudulent fiscal exertion. Violations of the Act's conditions can affect not only forfeitures of over to$ 5 million for individualities but also a possible 20 years in jail. These aren't vulnerable, with forfeitures of over to$ 25 million possible. In no way - ending the hunt for justice, the SEC doesn't stop at financial forfeitures... It can actively seek to ban individuals from the upper echelons of publicly traded companies if they have infringed upon the law. Furthermore, it can call for disgorgement, a term that signifies not only the repayment of ill-gotten gains but also the added pinch of interest. Conclusion The judicious management and regulation of price-sensitive information are pivotal to maintaining the integrity of financial markets. In the USA, the SEC, under various legislative and regulatory frameworks, ensures that PSI is not employed for fraudulent practices. The statutory and punitive provisions act as powerful deterrents against the misuse of such information, thereby

[3] •Kenton, W. What is the Securities Exchange Act of 1934? reach and history. available at Investopedia. https://www.investopedia.com/terms/s/seact1934.asp , (last visited 9 May 2023)

preserving faith in the financial system and safeguarding investors' interests. To what extent have the regulations and laws governing the disclosure of price-sensitive information in the United States been effective in ensuring a fair and level playing field for all investors, and what improvements can be made to further enhance transparency and accountability in the stock market? [4]"It behoves us to look at the legal guidelines and guidelines that pertain to the disclosure of rate touchy facts withinside the United States of America. Price touchy facts, as we know, are any facts that would affect the inventory rate of a publicly traded organization made to be had by the public. The Securities and Exchange Commission (SEC) is tasked with implementing those legal guidelines and guidelines, which goal is to make certain that each buyer has got admission to cloth facts on a stage gambling discipline, with no undue benefit to insiders or different parties[5]. Market manipulation through social media has come to a growing concern in the United States. It has enforced regulations to prevent market manipulation and has taken enforcement action against individualities and enterprises for violations. In this essay, we will explore the regulations in place in the US to help market manipulation through social media. The SEC is responsible for enforcing federal securities laws in the US, including regulations related to request manipulation. The SEC's primary regulations related to request manipulation are Rule 10b- 5 and Rule 9b- 1.

To battle inaccurate and deceiving information arrangements on social media platforms like Twitter and Facebook, the SEC implements Rules 10b- 5 and 9b- 1. These restrictions operate as a powerful barrier against illicit activity in the virtual domain. Consider a case from 2013, in which a trader was charged with market manipulation for blatantly spreading fake information on Twitter to instinctively inflate the price of a stock. This tricky dealer had constructed a fictional Twitter account to broadcast a flood tide of false information, and to add to the deception, he'd used other accounts to give the impression of massive interest in the business. The SEC and FINRA have both issued rules and directions relating to social media utilized by companies and people within the budgetary industry. These rules point to guarantee compliance with securities laws, and counting controls related to advertising control. Companies are required to have approaches and methods put to screen social media movements by their representatives and to guarantee that any data posted on social media isn't deluding. Material data ought to be unveiled through conventional channels such as press discharges or administrative filings. FINRA, as a self-regulatory organization overseeing broker-dealers and other budgetary industry members within the US, too has control input to avoid showcase

[4] ibid
[5] ibid

control through social media. These controls emphasize the significance of observing social media movements and guaranteeing compliance with securities laws. overall, these rules and controls serve to preserve straightforwardness and judgment within the money-related industry, shielding financial specialists and advancing capable social media utilized by companies and proper linear must guide how persons in the financial industry should use social media. This perspective highlights the need of having a clear strategy input for social media usage and being aware of the potential risks associated with social media. Firms are encouraged to monitor their representatives' social media activities and have tools in place to manage any instances of non-compliance with administrative requirements. In addition to the SEC and FINRA, the Product Prospects Exchange Commission (CFTC) has guidelines in place to prevent showcasing control in the prospects and subsidiary markets. These guidelines cover a wide range of exercises, including insider trading, incorrect announcement, and cost control. The CFTC's guidelines also apply to the transmission of false or misleading information. The CFTC has established rules on the use of social media by people and firms in the prospects and subsidiary markets. The ruling emphasizes the need for organizations to have clear social media policies in place, as well as for consumers being aware of the possible hazards involved with social media. The guideline also exhorts firms to monitor their representatives' social media activity and to put in place measures to handle any instances of administrative obligations not being satisfied.

To summarize, social media ad control poses a severe risk to the sharpness of financial markets and can have an influence on financial professionals as well as the general economy. The United States has put in place a comprehensive set of criteria to avoid market manipulation. This act mandates that agencies which have registered with the SEC make ordinary filings with the Commission, inclusive of quarterly and annual reports, proxy statements, and different facts deemed important via way of means of the SEC. Companies also are required to reveal cloth facts that would affect their inventory rate, as described via way of means of what an inexpensive investor might not forget essential in making a funding decision. Such facts should be made to be had to all buyers on the equal time. It prohibits insider buying and selling and imposes strict consequences on the ones observed to have violated the law. Insider buying and selling refers to the shopping for or promoting of securities primarily based totally on cloth, and personal facts.

The consequences for insider buying and selling beneath the ITSA are severe, inclusive of civil consequences of up to 3 instances the earnings won, or loss avoided, and crook consequences which include imprisonment for up to twenty years and fines up to $five million for people and $25 million for corporations. The SOX additionally calls for agencies to set up and hold inner controls over monetary reporting, which should be licensed via way of means of the organization`s control and unbiased auditors. Any adjustments to those controls should be disclosed within the organization's annual reports. Statement. The ratio of CEO reimbursement to the median reimbursement of all personnel should additionally be disclosed withinside the organization's annual proxy statement.

Lastly, the JOBS Act was enacted in 2012 to facilitate small businesses' get admission to capital. The JOBS Act affords exemptions for rising boom agencies from registering with the SEC. These agencies can post exclusive registration statements to the SEC, which stay exclusive till 21 days earlier than the organization is going public. This provision permits rising boom agencies to preserve their monetary facts exclusively till they're equipped to move public. In conclusion, those legal guidelines and guidelines offer a framework for agencies to reveal cloth facts to buyers, even making sure a stage gambling discipline for all buyers. The SEC enforces those legal guidelines and guidelines to save you insider buying and selling and hold marketplace integrity.

In the annals of United States jurisprudence, a multitude of cases about insider trading have emerged, some of which have fundamentally transformed our understanding, prosecution, and penalisation of this complex transgression. Here are a few seminal cases:

SEC v. Texas Gulf Sulphur Co. (1966): [6]This case is often held up as the beacon that illuminated the path for contemporary law on insider trading. The corporate denizens, armed with the knowledge of a substantial ore deposit discovery yet to be announced, purchased stocks. The Second Circuit Court of Appeals proffered a judgement that anyone privileged with the material inside information must either make it public or abstain from trading.

Chiarella v. United States (1980): [7]This Supreme Court case sowed the seeds of the precedent that a person must be encumbered by a fiduciary duty to a company's shareholders to be held culpable for insider trading. Vincent Chiarella, an employee at a printing firm, deduced the identities of companies targeted for takeovers based on documents he had access to during his work and traded based on this information. The Supreme Court, in a significant reversal of his conviction, ruled that Chiarella was not burdened by a fiduciary duty to the shareholders of the target companies.

Dirks v. SEC (1983): [8]In this case, the Supreme Court provided clarity on when a tippee (an

[6] 401 F.2d 833; 2 A.L.R. Fed. 190
[7] 445 U.S. 222 (more) 100 S. Ct. 1108; 63 L. Ed. 2d 348
[8] 463 U. S. 654-664

individual who receives inside information from an insider) becomes liable for insider trading. The Court held that a tippee must be aware that the insider divulged confidential information and that the insider derived a direct or indirect personal benefit from the disclosure.

In the riveting drama of "*United States v. O'Hagan" (1997)* [9]the Supreme Court upheld the "misappropriation theory" of insider trading, significantly shaping the legal landscape surrounding this issue. James O'Hagan, a legal luminary in a prominent firm, dipped his fingers into the grey area of trading based on information about a takeover bid his firm was orchestrating. Despite not having a direct role in the transaction, O'Hagan's actions led the Court to a seminal judgement: misappropriating confidential information for securities trading was tantamount to committing fraud "in connection with" a securities transaction, thereby violating Section 10(b) and Rule 10b-5. This ruling added a new dimension to the understanding of insider trading, underscoring the violation of a duty to the source of information.

Fast forward to 2014, and we encounter "*United States v. Newman and Chiasson*[10]," a case that profoundly influenced the approach to prosecuting insider trading cases involving tippees. The Second Circuit Court of Appeals boldly nullified the insider trading convictions of Todd Newman and Anthony Chiasson. The court held that for the prosecution to successfully argue a conviction for insider trading, it must provide unequivocal proof that the tippee knew an insider had leaked confidential information in pursuit of personal benefit. This ruling forever etched its mark on the annals of insider trading case law.

Finally, we turn to "*Salman v. United States" (2016),* [11]a case that brought much-needed lucidity to the nebulous concept of personal benefit in insider trading cases. The U.S. Supreme Court, in its wisdom, decreed that merely gifting confidential information to a trading relative or friend satisfies the requirement of personal benefit, thereby proving securities fraud. This pivotal case provided a clear interpretive lens through which to understand what constitutes a "personal benefit," thus refining the legal parameters of insider trading. The Court held that the act of gifting confidential information to a trading relative or friend is sufficient to prove securities fraud. This case assuaged some of the ambiguities from the Newman case regarding what constitutes a "personal benefit." Each of these landmark judgements has made a substantive contribution to the legal comprehension of insider trading within the United States.

[9] 521 U.S. 642, 117 S. Ct. 2199 (1997)
[10] No. 13-1837 (2d Cir. 2014)
[11] 580 US _ (2016)

(B) UK

Market manipulation through social media, a grave concern that can jeopardize the integrity of financial markets, has been addressed proactively by the United Kingdom. Robust regulations and guidelines are in place to thwart such malpractice and safeguard investors and the broader economy. The Financial Conduct Authority (FCA), the regulatory vanguard entrusted with upholding market integrity in the UK's financial markets, promulgated the Market Abuse Regulation (MAR) in 2016. [12]This seminal legislation encompasses a wide spectrum of activities that could be construed as market manipulation, encompassing insider dealing, illicit disclosure of inside information, and the manipulation of transactions or orders to disseminate false or misleading impressions of supply, demand, or price. Notably, MAR also unequivocally prohibits the dissemination of false or misleading information that could potentially impact the prices of financial instruments.

a. **Legal Provisions**

The chief legislative instrument concerning PSI in the UK is the Financial Services and Markets Act 2000 (FSMA). This Act bestows the FCA with the authority to promulgate rules and regulations pertinent to the appropriate disclosure of PSI.[13]

Post Brexit, the UK incorporated the EU Market Abuse Regulation (MAR) into its legal canon, further strengthening PSI regulation. MAR proffers a definition of inside information (a synonym for PSI) and proscribes insider dealing, illicit disclosure of inside information, and market manipulation. The Disclosure and Transparency Rules (DTRs), dictated by the FCA, obligate issuers to divulge PSI as expeditiously as possible to avert engendering a false market in its securities. Rule DTR 2.2.1 explicitly demands an issuer to acquaint the public as soon as possible with inside information that directly pertains to the issuer.

b. **Penal Provisions**

The FCA wields the authority to impose punitive measures for PSI misuse. This includes levying fines, sanctions, and in the gravest of offences, such as insider dealing, even prison sentences. For instance, under the FSMA, the maximum penalty for insider dealing is an unlimited fine and/or a prison sentence extending up to seven years. The FCA also retains the authority to prohibit individuals found guilty of misconduct from being employed in the financial industry.

The meticulous regulation of price-sensitive information is the linchpin to the integrity of

[12] Market Abuse Regulation
[13] Financial Services and Markets Act 2000

financial markets. In the UK, the FCA, under an amalgam of legislative and regulatory frameworks, ensures that PSI is not weaponised for market abuse[14]. As financial markets continually evolve in response to technological advancements and globalisation, the mechanisms governing PSI must similarly adapt to preserve investor trust and public confidence in the financial system. The nefarious propagation of such misinformation through the tangled web of social media platforms, including the likes of Twitter and Facebook, falls within the comprehensive ambit of the Market Abuse Regulation (MAR). This regulatory framework casts its regulatory umbrella wide, encompassing all manner of financial instruments that are spanning a dizzying array of shares, bonds, derivatives, and commodities. The FCA, complementing MAR, has also issued meticulous guidelines governing the use of social media in financial promotions. These guidelines apply to all forms of communication, including social media posts, that aim to promote a financial product or service. Emphasizing the virtues of fairness, clarity, and the absence of misleading elements, these guidelines mandate the prominent disclosure of any associated risks. Importantly, financial. This prescriptive guidance underscores the paramount importance for firms to establish unequivocal and resolute policies governing the treacherous terrain of social media usage.

Individuals must be acutely aware of the lurking risks that accompany this modern phenomenon. Notably, the guidance underscores the pressing need for firms to exercise vigilance in diligently monitoring the erratic realm of social media activity by their employees while implementing robust mechanisms to proactively thwart any instances of non-compliance with the labyrinthine web of regulatory requirements. The FCA's resolute enforcement of regulations, exemplified by its litany of actions against individuals and firms for market manipulation and other violations of MAR, is evident. A recent case in 2020 saw the FCA imposing a hefty fine of £45,000 on a trader who had disseminated false and misleading messages on Twitter regarding the share price of a listed company. The trader had gone to great lengths, using a pseudonym and a fabricated email account, to deceive unsuspecting victims into thinking the messages were legitimate. This case unequivocally underscores the FCA's unwavering commitment to combatting market manipulation via social media, emphasizing the imperative need for vigilant monitoring of social media activity to pre-empt and thwart such pernicious practices. It also serves as a stark reminder of the indispensable role of individuals and firms in being acutely cognizant of the risks associated with social media usage, and in promulgating clear policies and procedures to ensure unwavering adherence to regulatory imperatives. Beyond the FCA, the UK regulatory landscape comprises a varied array of organisations and organizations that

[14] ibid

are highly involved in actively monitoring and combating market manipulation.

The Financial Services and Markets Tribunal (FSMT) is one significant organization. It is an independent agency that hears appeals against FCA rulings, notably those involving market manipulation. Meanwhile, the Significant Fraud Office (SFO) is responsible for investigating and prosecuting incidents of serious fraud, including market manipulation. The diverse character of these organizations highlights the complexities of the UK regulatory ecosystem, with numerous institutions playing critical roles in ensuring market integrity.

The United Kingdom, too, has witnessed cases of market manipulation, particularly on Twitter, with a user called "AletheiaResearch" tweeting misleading information about APR Energy in 2013, leading to a plummeting of its share price. Later, it was discovered that the user was a short seller who had benefitted from the resultant drop in the stock price.

The United Kingdom, although a relative novice compared to the United States in the enforcement of insider trading laws, has nonetheless etched its narrative with a series of significant judicial pronouncements. Here are some of these consequential milestones:

- *R v. Neophytou and Others (1997):*[15]A pathbreaker, this case has the distinction of being among the initial successful prosecutions for insider trading on the British Isles. The accused, a motley group comprising a company director and a stockbroker, were found guilty of exploiting inside information about bid discussions to trade shares in a publicly listed corporation.
- *R v. McQuoid and Melbourne (2009):*[16]This case served as the inaugural enforcement action by the Financial Services Authority (FSA), presently known as the Financial Conduct Authority (FCA), wielding its newly endowed enforcement powers. The defendants, ensnared in the web of insider trading, were convicted after the General Counsel of a publicly listed entity tipped a confidante about an imminent takeover bid.
- Operation Tabernula (2016): [17]Exemplifying the FCA's escalating sophistication and reach, this operation was the most complex and extensive insider dealing investigation ever initiated by the FCA. The investigation bore fruit with five convictions and established fresh precedents for the prosecution of insider trading in the UK.

[15] EWHC 521
[16] EWCA Crim 1301
[17] Ridley, K. (2019, September 3). British fugitive sentenced for money laundering in Tabernula case. U.S. ,Available at https://www.reuters.com/article/uk-britain-moneylaudering-sentencing-idUKKCN1VO2289lAst (last visited on 12 May 2023)

- *R v. Abdel-Malek and Choucair (2019):*[18]This intriguing case involved a former compliance officer of UBS, in conjunction with a day trader, who was convicted for disseminating and trading on inside information about potential mergers and acquisitions. This judgement marked a significant triumph for the FCA in its persistent endeavours to suppress market abuse.These judicial verdicts symbolise the burgeoning finesse and influence of the UK's enforcement efforts against insider trading. However, akin to many jurisdictions, the UK grapples with persistent challenges in unearthing and prosecuting insider trading, a testament to the clandestine and often labyrinthine nature of such transactions.

(C) India

Within India's vibrant mosaic, the administration of PSI falls within the jurisdiction of the Securities and Exchange Board of India (SEBI)... In the annals of Indian finance, SEBI emerged in 1988 and was conferred with statutory powers in 1992 through the eponymous SEBI Act. Its cardinal mission is to act as a guardian of investor interests and foster and regulate the Indian securities markets.[19]

a. Legal Provisions

The cornerstone of legislation governing PSI in India is enshrined in the SEBI (Prohibition of Insider Trading) Regulations, 2015. This regulation delineates the contours of price-sensitive information and lays down the guidelines and restrictions concerning the dissemination and utilisation of PSI.

The regulation characterises PSI as information that is not in the public domain and which, upon being universally accessible, is likely to significantly impact the price of securities. It prescribes the communication of PSI by any individual who is privy to such information, except for legitimate purposes, the performance of duties or the fulfilment of legal obligations[20]. In addition, the regulation mandates all listed companies to craft a code of conduct to regulate, monitor, and report trading by its employees and other connected individuals.[21]

b. Penal Provisions

SEBI wields the authority to inflict penalties for contraventions of the SEBI (Prohibition of Insider Trading) Regulations. These penalties may encompass monetary fines, incarceration,

[18] EWCA Crim 1730 Financial Services
[19] Sebi Act 1992
[20] SEBI (Prohibition of Insider Trading) Regulations, 2015
[21] Sebi act 1992

and disgorgement of illicitly obtained gains.

The SEBI Act also stipulates penalties for insider trading. The Act prescribes that offenders can be subjected to a fine of up to 25 crore rupees or thrice the amount of profits gleaned from insider trading, whichever is greater. Furthermore, individuals can find themselves facing imprisonment for a period extending up to ten years.[22]

II. Cases on insider trading

1. *Reliance Industries Insider Trading Case (2007):*[23]The Securities and Exchange Board of India (SEBI) alleged that Reliance Industries Limited (RIL) had illegally profited by trading in shares of its subsidiary, Reliance Petroleum, in 2007. After a long legal battle, RIL agreed to settle the case in 2018 by paying INR 25 crore.

2. *Rajat Gupta Insider Trading Case (2012):*[24]Rajat Gupta, the former managing director of McKinsey & Company and a board member at Goldman Sachs and Procter & Gamble, was convicted in the United States for leaking confidential information to hedge fund manager Raj Rajaratnam. Though the trial happened in the US, Gupta was a prominent Indian-origin executive.

3. *Infosys Insider Trading Case (2020):*[25]In 2020, SEBI investigated an alleged insider trading case involving Infosys employees. The employees allegedly traded Infosys shares based on prior unpublished price-sensitive information regarding the company's financial results.

4. *United Spirits Insider Trading Case (2016):*[26]SEBI ordered Vijay Mallya, the former chairman of United Spirits, to pay a fine of INR 3 lakh for alleged insider trading. The case was related to the sale of shares of United Spirits Limited (USL) to Diageo Plc.

III. Conclusion

In essence, a panoramic and comparative analysis of the precepts governing price-sensitive information (PSI) in the United Kingdom, the United States, and India could unfurl a cornucopia of enlightenment into the divergent methodologies and regulatory schemas extant in these jurisdictions. Such a scholarly pursuit could facilitate a judicious selection of best practices, an assiduous examination of their efficacy, and an assessment of the feasibility of their implementation or adaptation within variegated contexts. The gains of such a comparative

[22] ibid
[23] 11 SEBI CK 0124
[24] No. 11-CV-7566
[25] Appeal No.689 of 2021
[26]United Spirits Insider Trading Case (2016), available at https://www.casemine.com/judgement/in/5efc83199eff437146049b2c (last visited 12 May 2023)

exercise are certainly prodigious. Simultaneously, the assiduous oversight of Price Sensitive Information constitutes the bedrock of the probity of our financial bazaars. Particularly in the vibrant tapestry of India, the Securities and Exchange Board of India (SEBI), under the protective umbrella of the SEBI Act and the Prohibition of Insider Trading Regulations, serves as a vigilant custodian, ensuring PSI doesn't metamorphose into a tool of exploitation. A juxtaposition of these regulatory environments engenders an opportunity for introspection and recalibration of existing statutes and protocols. By discerning how disparate jurisdictions confront similar conundrums, we could identify potential chasms or ambivalences in our legislative constructs and effect the necessary amendments. Moreover, such an analysis may unveil trailblazing enforcement strategies or regulatory implements that could be leveraged to more effectively deter and detect instances of insider trading. For instance, the employment of sophisticated surveillance technologies and artificial intelligence in identifying unusual trading patterns could be a stratagem worth embracing or expanding. This comprehension could empower retail investors to adroitly navigate the global financial markets and fortify their resilience against potential market abuses. Furthermore, it could illuminate their understanding of their rights, obligations, and the potential fallout of insider trading. In terms of recommendations, it is posited that regulatory entities in India, the USA, and the UK engage in a collaborative dialogue, sharing their wisdom and lessons learnt in the realm of PSI regulation. This could be fostered through international symposiums, joint scholarly endeavours, or exchange programs. Equally importantly, strides should be made to disseminate information about PSI laws and regulations to retail investors, using pedagogical resources, workshops, or digital platforms. Retail investors should be encouraged to report questionable activities and robust safeguards for whistle-blowers must be instituted. Finally, regulatory entities should incessantly monitor and evaluate their regulatory frameworks and enforcement stratagems, demonstrating a readiness to make revisions as required. This could involve regular audits of the regulations, as well as the aggregation and analysis of data on market behaviours and enforcement outcomes. In this manner, they can ensure that their regulations remain potent and agile in the face of an evolving financial landscape. The tackling of insider trading, a spectre that erodes investor confidence, disrupts market equilibrium, and impedes efficient resource allocation, requires a collective responsibility shared by regulators, corporations, and individuals. By elevating regulatory standards, ensuring effective enforcement, advocating transparency, deploying robust surveillance mechanisms, educating market participants, and stimulating research, we can fortify our bulwark against insider trading, thereby bolstering the integrity of our financial markets.

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 [ISSN 2581-5369]