

Chanakya National Law University, Patna
LL.M- 2024-25; SEMESTER- II

Course Title: Corporate Finance

Credit- 2

Course Overview: The course is designed to provide a legal understanding of the essential elements of Corporate Finance and the Corporate Environment in which the corporate business operates. The paper will examine the objective of shareholder wealth maximisation, which encompasses much of modern corporate finance, its implications for legal and ethical decision-making, and the manipulation strategy in the present context.

Learning Outcomes:

The course is designed to provide a legal understanding of the essential elements of corporate finance and the corporate financial environment in which the corporate business firm operates. The paper will examine the objective of shareholder wealth maximisation, which encompasses much of modern corporate finance, its implications for legal and ethical decision-making, and the manipulation strategy in the present context.

Corporate Funding is the area of finance dealing with the sources of funding and the capital structure of corporations, the actions that decision-makers take to increase the firm's value to the shareholders, and the tools and analysis used to allocate financial resources. The objectives of corporate finance are as follows:

1. Understanding the evolution and growth of the finance function. The objective of the firm – Shareholder wealth maximisation.
2. Make Strategic Investment decisions and arrange funds from different sources.
3. To provide the practical and procedural knowledge on various sources of finance available to
4. corporates at their various stages of the journey and the legislative framework for raising such funds.
5. Financing options available to corporations, the Tradeoff between debt and equity, and Criteria for deciding the optimal financing mix.
6. To develop a reservoir of knowledge on valuation which can assist the Company decision maker.
undertaking valuation assignments as a Registered Valuer under the Companies Act, 2013 including for
7. Mergers and Acquisitions, Issue of Shares, Winding up of Business, and during Distressed Sales.
8. The main objective in carrying out a valuation is to conclude a transaction in a reasonable manner
without any room for any doubt or controversy about the value obtained by any party to the transaction.
9. To know about corporate tax and its planning and tax management.

List of Topics/ Modules

Topic/ Module	Contents/ Concepts	Sessions / Lectures
Module I: Theoretical Framework of Corporate Finance	<ul style="list-style-type: none"> • Law of Corporate Finance -Meaning, Importance and Scope of Corporate Finance. • Sources of corporate finance under company law- Equity, Preference, and Debentures. • Working capital and Working capital finance • Sources of External Corporate Fund Raising • Foreign Funding • Case study 	1- 8
Module II: Corporate Business Valuation.	<ul style="list-style-type: none"> • Overview of Business Valuation: Genesis of Valuation; Need for Valuation; Hindrances/ Bottlenecks in Valuations. • Business Valuation Approaches. • Principles of Valuation (Cost, Price, and Value). • International Valuation Standards Overview • Case Study 	9-15
Module III: Corporate Finance Alternatives	<ul style="list-style-type: none"> • Joint Venture, • Valuation during Mergers & Acquisitions. • Buy-back of shares and • Leverage buy-out, • Case Study. 	16-21
Module IV: Corporate Tax Planning and Management.	<ul style="list-style-type: none"> • Corporate Tax Planning & Tax Management- Scope and Objectives. • Tax Avoidance v/s Tax Evasion. • Areas of Corporate Tax Planning. • Income Tax Implication on specified transactions. • Implications of Tax benefits • Incentives for corporate decisions in respect of setting up a new business, 	22-27

Module V: Corporate Tax Management of Corporate Finance Components	<ul style="list-style-type: none"> • Tax Planning for location of business and nature of business. • Tax planning regarding financial management decisions. • Capital structure decisions. • Dividend Policy; Bonus Share. • Investments and Capital Gains. • Case Study 	28-35
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Recommended/Reference Textbooks and Resources:

Text Book:

1. Eil's Ferran : Company Law and Corporate Finance, Oxford
2. Jonathan Charkham : Fair Shares : The Future of Shareholder Power and Responsibility Oxford
3. Ramaiya A : Guide to the Companies Act (Current Edition). Vol. I, II and I11 H.A.J. Ford and A.i'.
4. Austen : Ford's principle of Corporations Law (1999). Butterworths ten R.P.: The Law Of Public Company Finance (1986), LBC R.M. Goode : Legal Problems of Credit and Security (1988), Sweet and Maxewll
5. Maryin M. Kristein : Corporate Finance (1975) R.C. Osborn : Corporation Finance (1959)
6. S.C. Kuchhal : Corporation Finance: Principles and Problems.
7. V.G. Kulkarni : Corporate Finance (current edition)
8. Corporate Tax Planning: Grish Ahuja (2024 Edition)
9. Business Tax Planning and Management: Dr. V.K. Singhanian (2024 Edition)

References:

- ASWATH DAMODARAN: Applied Corporate Finance
- Y.D. Kulshreshta : Government Regulation of Financial Management of Private Corporate
- Corporate Restructuring: Bryan de Caires
- Case Studies for Corporate Finance: By Harold Bierman.
- Corporate Tax Planning: Grish Ahuja (2024 Edition)

- **Corporate Tax Planning & Business Tax Procedures with case studies: Dr. Vinod K. Singhania and Dr Monica Singhania (2024 Edition)**
- **Tax Planning- Practical Aspects (2024): CA CHUNAUTI H. DHOLAKIA, Bharat Publication.**
- **Bare Act.**
- **IFRS Bulletin.**

Instructor Details

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Chanakya National Law University, Patna
LL.M. Criminal Law 2024-25; SEMESTER-2

Course Title: Juvenile Delinquency

Course Overview

This course critically examines juvenile delinquency and the juvenile justice system in India. Students will be exposed to the theories that help professional understanding and the development of delinquency within the context of individuals, families and communities. This course will focus on some of the important issues that face the juvenile justice system and the social work professionals who are working within this system. The course is designed for lawyers, social work students interested in working in juvenile justice. This course deals with the etiology of delinquent, deviant behavior and factors that causes juvenile delinquency; measures for deterrence and control of teenage crime; recognize the various laws and provisions that protect rights and welfare of children.

Learning Outcomes

- Know and recognise the law related Juvenile.
- Know the Indian legal provisions and landmark cases relating to Juvenile.
- Know the International and Indian legal provisions for the development of Child protection laws.
- Know theories of Juvenile Delinquency.
- Understand what is 'Juvenile Crime' and the reasons of criminal behavior in children
- Internalize the concepts of Human rights and victim welfare in investigation of cases.

On completion of the course, students will be able to:

1. Understand how life events and social conditions (risk and protective) contribute to delinquency and goal and objective of juvenile justice system in India.
2. Analyse the development of Juvenile Law in India and International development.
3. Will be able to critically evaluate the law and procedure of Indian juvenile system and other countries development of Juvenile law.

List of Topics/ Modules

Topic/ Module	Contents/ Concepts	Sessions / Lectures
Module I: INTRODUCTION	<ul style="list-style-type: none">• Jurisprudential foundations of Juvenile Justice• History and evolution of Juvenile Justice in India	1-8

	<ul style="list-style-type: none"> • International Conventions & Instruments • Minimum Age of Criminal Responsibility (MACR) • Rights of Child • Major International instruments relating to Children's Rights • The Beijing Rules • Constitutional Provisions • Juvenile Justice System Vs. Criminal Justice System 	
Module II: THEORETICAL UNDERSTANDING OF JUVENILE DELINQUENCY	<ul style="list-style-type: none"> • Meaning of Juvenile Delinquency • Theories of Juvenile Delinquency • Childhood Disorders • Causal Factors in Juvenile Delinquency • Juvenile Delinquency in India - Nature, Incidence and Characteristics 	9-18
Module III: ACT AND RULES ON JUVENILE JUSTICE IN INDIA	<ul style="list-style-type: none"> • The Juvenile Justice (Care And Protection of Children) Act, 2015 • Important Definitions • General Principles of Care and Protection of Children • Juvenile Justice Board Procedure in Relation to Children In Conflict With Law • Child Welfare Committee • Procedure In Relation To Children In Need of Care and Protection • Rehabilitation and Social Re-Integration • Adoption • Other Offences against Children • Brief Overview of Bihar Juvenile Justice (Care And Protection Of Children) Rules, 2017 	19-29
Module IV: ROLE OF THE SOCIETAL INSTITUTIONS	<ul style="list-style-type: none"> • Role of the family in delinquency prevention • Dual role of police- as an agency of Criminal Judicial Administration and as protector of Juvenile interest 	30-48

	<ul style="list-style-type: none"> • NGO's role in custodial institutions and as a friend of every child in need of care • Media to expose instances of child exploitation and abuse in public domain as well as remain sensitive to privacy of children and their families 	
Module V: ORGANISATIONS AND CHILD WELFARE	<ul style="list-style-type: none"> • UNICEF • UNESCO • WHO • MCWD • Welfare schemes for children by central Government – Role of NGO'S in Child welfare. 	49-59

Recommended/Reference Text Books and Resources:

Text Books

1. Shoemaker, Donald J. 2018 Juvenile Delinquency 3rd Edition.
2. Ved Kumari
3. Regoli, Robert M. (2017) Delinquency in Society.

References

1. Juvenile Delinquency: Causes and Control by Robert Agnew
2. Juvenile Delinquency: Theory, Practice, and Law by Larry J. Siegel

Web Resources

https://www.mlsu.ac.in/econtents/1076_Juvenile%20Justice%20Act.pdf
<http://www.penacclaims.com/wp-content/uploads/2020/07/Kushmitha-Ganesh.pdf>
<https://biblioteca.cejamerica.org/bitstream/handle/2015/3519/eeuu-century-juvenile-justice.pdf?sequence=1&isAllowed=y>
https://serialsjournals.com/abstract/40148_ch_5_f_-_venudhar_routiya.pdf
<https://journal.rostrumlegal.com/the-minimum-age-of-criminal-responsibility-in-india-is-it-to-be-blamed-for-the-increasing-youth-crime-by-stuti-bhatia/#:~:text=The%20present%20age%20of%20criminal,Act%2C%202000%20is%2018%20years.>

Instructor Details

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Chanakya National Law University, Patna
LL.M Second Semester

Seminar Paper II

National Security, Public order and Rule of Law
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Course Overview

In every written constitution, provision is required to be made to equip the state to face grave threats to its exigence arising from extra- ordinary circumstances created by war or external aggression or armed rebellion. Although "amidst the clash of arms, the laws are not silent" they do not speak the same language in war as in peace. Extra- ordinary circumstances warrant the invocation of extra-ordinary laws and such laws are 'mown as emergency laws. They put grater fetters on individual liberty and eclipse certain aspects of the due process. But in such circumstances, the democratic forces must assert that for survival of the State, the least possible liberty should be available.

Moreover, in the present-day world where the nations are constantly at war with terrorism and extremism, which has spread its tentacles to every aspect of life, there is also a need to rethink the whole paradigm of individual rights vis a vis security of the state. India is particularly vulnerable to such threats due to geopolitical reasons. Though India has enacted specific legislations like Terrorist and Disruptive Activities (Prevention) Act and Unlawful Activities Prevention Act, but it has been seen that such legislations have failed to achieve their purpose for many reasons. Moreover, there is always a room for conflict between Courts and law enforcing agencies. Therefore, a proper balancing of individual freedom and need for security of the State should be the ideal of these special legislations.

The students should be familiarized with different aspects of such emergency powers and scrutinizing intellectual attitude towards such powers. The following syllabus has been prepared with this perspective in mind.

Module 1 covers the exercise of powers of the court to Emergency Detention in England.

(ii) Civil Liberties Subjective satisfaction or objective assessment.

(iii) Pre- Independence law: Emergency Provisions.

(iv) Provisions in English Law and comparison Indian Law.

Module 2 covers the aspects related to preventive detention and constitutional provisions

Module 3 deals with the Emergency provisions in Indian Constitution.

Module 4 discusses the various provisions related to emergency.

Module 5 deals with exceptional Legislations and Module 6 deals with the question of Judicial Review during emergency.

Learning Outcomes. Though the emphasis of this course would be on the various aspects of National Security, the course would also familiarise the students with the response of the courts in interpreting the provisions of various legislation affecting personal liberty.

1. On completion of the course, students will be able to understand in a better way the Administration of criminal justice system in other countries like England and France.

2. The students should be familiarized with different aspects of such emergency powers and scrutinizing intellectual attitude towards such powers. The learning outcome of this course would be to equip the students in analysing the limitations on state powers and court's response to such limitations.

3. The students should be able to critically analyse the various issues concerned with security of the state, public order and courts duty to uphold the Rule of Law under extraordinary circumstances. The syllabus has been prepared made this perspective in mind.

List of Topics/ Modules

Topic/ Module	Contents/ Concepts	Sessions / Lectures
Module I:	(i) Emergency Detention in England. (ii) Civil Liberties Subjective satisfaction or objective assessment. (iii) Pre-Independence law: Emergency Provisions . (iv)Provisions in English Law and comparison Indian Law.	1-10
Module II:	(i) Preventive Detention and Indian Constitution. (ii) Article 22 of . Constitution of India. (iii) Preventive Detention and safeguards.	11-20
Module III:	(i) Emergency provisions in Indian Constitution . (ii) Declaration of Emergencies 1962, 1965 and 1970	21- 30

	<p>Emergencies.1975</p> <p>Emergency</p> <p>(iii) Meaning of "Public Order".</p> <p>(iv) Suspension of Article 19, rights on declaration of emergency.</p>	
Module IV:	<p>(i)President's right to suspend right to move any court</p> <p>(ii) Suspension of Article 19, rights on declaration of emergency.</p> <p>(iii) Special significance of Article 21 .</p> <p>(iv)Non-suspendability vs Suspendability.</p> <p>(v) 44th Amendment to the Constitution.</p>	31-40
Module V:	<p>(i) Exceptional Legislations. COFEPOSA and other legislations to curtail economic offenders.</p> <p>(ii) TADA: "the draconian law"- comments of NHRC Special courts and tribunals.</p> <p>(iii) Due Process and special legislation.</p> <p>(iv) UAPA – Whether it is successful in</p>	41 -50

	achieving the objectives.	
Module VI:	(i) Access to Courts and Emergency Article 359: Ups and downs of judicial review.	51-55.

Recommended/Reference Text Books and Resources:

Text Books .

Suggested Readings.

- (i) G.O. Koppel!" The Emergency, The Courts and Indian Democracy" 8 I.I.L.L 287(1966)
- (ii) H.M. Seervai, The Emergency , Future Safeguards and the Habeas Corpus: A Criticism
- (iii) . International Commission ofJurists, Status of Emergency and Human Rights (1984)
- (iv) N.C. Chattedi and Parameshwar Rao, Emergency and the Law (1966).

References

- Constitution of India.

Instructor Details

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Chanakya National Law University, Patna
LL.M. One Year Course Semester System, Regular Mode.
Group C- CORPORATE AND COMMERCIAL LAW
Seminar Paper-II (2024-2025)

SEMESTER- II

Course Title: Comparative Corporate Governance (India and UK)
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Course Overview

The aim of this seminar paper is to critically analyze and compare the corporate governance frameworks of India and the UK, with a focus on their legal structures, regulatory mechanisms, and key principles. Students will explore the evolution of corporate governance in both countries, considering the role of the board, shareholder rights, stakeholder interests, executive remuneration, and the influence of institutional investors. They will also assess the impact of "comply or explain" models, board diversity, and soft law in shaping governance practices. By the end of the paper, students will gain a comprehensive understanding of the similarities, differences, and challenges in the corporate governance systems of India and the UK, and develop the analytical skills to evaluate their effectiveness in promoting accountability, transparency, and sustainable business practices.

Learning Outcomes

The course aims to give students Ability to understand the key mechanisms of corporate governance, the policies influencing them and the empirical methods used in this subject.

On completion of the course, students will be able to:

- i* Demonstrate knowledge of the corporate governance systems and legal structures in India and the UK.
- ii* Critically assess the roles of boards, shareholders, and institutional investors in shaping governance practices.
- iii* Identify and compare the legal frameworks and regulatory mechanisms that influence corporate governance in both countries.
- iv* Develop practical recommendations on corporate governance issues such as executive remuneration, shareholder activism, and ESG factors.

Detailed Syllabus

Seminar	Topics	Hours
Seminar 1:	From Code to Courtroom: The Legal and Theoretical Basis of Corporate Governance This seminar provides an overview of corporate governance, focusing on key concepts and theoretical foundations, along with an exploration	6 Hours

	<p>of the legal framework that shapes corporate governance practices. We will specifically examine corporate governance in India and the UK, with a particular emphasis on their respective legal and company law perspectives.</p> <p>To deepen your understanding of these topics, it is recommended that you consult the following essential readings:</p> <p>Required Readings:</p> <ul style="list-style-type: none"> <i>i.</i> Gower's principles of modern company law, by P. L. Davies; Sarah Worthington; Christopher Hare; L. C. B. Gower, 2021 Essential See: paras 9.016-9.022 (10 pages) <i>ii.</i> Corporate governance, by Chris A. Mallin, 2019 Essential See: Chapter 2 <i>iii.</i> Corporate governance: a synthesis of theory, research, and practice, edited by H. Kent Baker; Ronald Anderson, 2010 <i>iv.</i> Joo, T. Theories and Models of Corporate Governance. G20/OECD Corporate Governance Principles <i>v.</i> The emergence of 'comply or explain' as a global model for corporate governance codes - in European Business Law Review, by I. MacNeil; I. M. Esser, 2022 <i>vi.</i> The New Economic Theory of the Firm: Critical Perspectives from History - in Stanford Law Review, by William W. Bratton, 1989-07 	
Seminar 2	<p>Boardroom Democracy: A Delicate Dance Between Directors and Shareholders</p> <p>Question: <i>Discuss whether it is accurate and beneficial to characterize the corporate governance systems of India and the UK as models of shareholder primacy.</i></p> <p>Required Readings:</p> <ul style="list-style-type: none"> 1. <i>The Anatomy of Corporate Law: A Comparative and Functional Approach</i> by Reinier H. Kraakman (2017), Chapter 2. 2. <i>Gower's Principles of Modern Company Law</i> by P. L. Davies, Sarah Worthington, Christopher Hare, L.C.B. Gower (2021), paragraphs 9.001-9.014 (14 pages). 3. D. N. Ghosh, "Corporate Governance and Boardroom Politics," <i>Economic and Political Weekly</i>, vol. 35, no. 46, 2000, pp. 4010–14. Available at JSTOR: link. 4. Daniel Angualia, <i>Balance of Power between Shareholders and the Board in Corporate Governance</i> (May 21, 2010). Available at SSRN: link or DOI. <p>Relevant Legislation:</p>	6 Hours

	<ol style="list-style-type: none"> 1. Companies Act 2013 (India) 2. Companies Act 2006 (UK), particularly sections 21, 168, 190, and 303-305 3. SEBI ICDR and LODR Regulations (India) 4. UKLA Listing Rules (UK), including paras. 10.2.1, 10.2.2, 10 Annex 1, 10.4, 10.5.1, 13.4.1-10.5, and 13.4-13.5. <p>Case Laws:</p> <ol style="list-style-type: none"> 1. <i>Automatic Self-Cleansing Filter Syndicate Co Ltd v Cuninghame</i> [1906] 2 Ch 35 2. <i>Busbell v Faith</i> [1970] A.C. 1099 	
Seminar- 3	<p>Power, Profit, and Responsibility: The Relationship Between Boards, Shareholders, and Stakeholders</p> <p>Examine the <i>Corporate Governance Green Paper</i> (2016) and the government's subsequent response, particularly regarding efforts to "strengthen the employee, customer, and wider stakeholder voice." Also, review the <i>Corporate Governance Code</i> (2018) and the <i>Companies (Miscellaneous Reporting Regulations)</i> (2018) to assess how these recommendations were integrated. Focus on sections 172 and 414 of the <i>Companies Act 2006</i>, alongside the equivalent provisions in the <i>Indian Companies Act 2013</i>. Emphasize reporting and disclosure obligations, as well as mechanisms for participation and engagement.</p> <p>Required Readings:</p> <ol style="list-style-type: none"> i. <i>Corporate Governance in India 2021</i>, Conference Board: link ii. <i>Corporate Governance Report</i>, Conference Board: link iii. <i>Navigating India's Transition to Sustainability Reporting</i>, PwC: link iv. <i>Deloitte UK Charities Alert</i>: link v. <i>UK Corporate Governance Code Reform</i>, PwC: link vi. <i>The Legislative Response to the Shareholder vs. Stakeholder Debate: A Comparative Overview</i>, Journal of Corporate Law Studies, by Sulette Lombard & Tronel Joubert (2014) vii. <i>Section 172: A Ground-Breaking Reform of Director's Duties, or the Emperor's New Clothes?</i>, Company Lawyer, by Elaine Lynch (2012) viii. <i>Shareholder Primacy in Corporate Law: Can It Survive? Should It Survive?</i>, European Company and Financial Law Review, by Andrew Keay (2010) ix. <i>Corporate Decision-Making Through Strategic Reporting: An Empirical Study</i>, by Iain G. MacNeil, Irene-Marie Esser, Katarzyna Chalackiewicz-Ladna (2017) x. <i>Legal Practitioners, Enlightened Shareholder Value and the Shaping of Corporate Governance</i>, Journal of Corporate Law Studies, by Joan Loughrey, Andrew Keay, Luca Cerioni (2008) 	6 Hours

Seminar-4	<p>From Care to Loyalty: Decoding the Key Duties of Directors</p> <p><i>Required Readings:</i></p> <ol style="list-style-type: none"> 1. <i>Gower's Principles of Modern Company Law</i> by P. L. Davies, Sarah Worthington, Christopher Hare, and L.C.B. Gower (2021) Essential Refer to paras 10.045-10.110 (59 pages) for a comprehensive overview. 2. <i>Companies Act 2006</i>: Review sections 174, 175, 177-180, and 182-185 for detailed provisions regarding directors' duties. 3. <i>Companies Act 2013</i>, 166, 173,174,178,179,180 4. <i>Insolvency Act 1986</i>: See section 214, which addresses directors' duties in the context of insolvency. 5. <i>The Company Director's Duty of Care and Skill: The Case for an Onerous but Subjective Standard in Modern Law</i> Review by C.A. Riley (1999) – A critical examination of the standard of care required from directors. 6. <i>The Duty of Loyalty of Company Directors: Bridging the Accountability Gap through Efficient Disclosure in 'The Cambridge Law Journal</i> by John Lowry (2009) – An analysis of the director's duty of loyalty and the role of transparency in ensuring accountability. <p><i>Key Case Law to Review:</i></p> <ol style="list-style-type: none"> 1. <i>Re D'Jan of London Ltd</i> [1994] 1 BCLC 561 2. <i>Re Brazilian Rubber Plantation and Estates</i> [1911] 1 Ch 425 3. <i>Re City Equitable Fire Insurance Co Ltd</i> [1925] Ch 407 4. <i>Re Barings plc (No 5)</i> [2000] 1 BCLC 523 5. <i>Aberdeen Railway v Blaikie</i> (1854) Macq HL 461 6. <i>Regal (Hastings) Ltd v Gulliver</i> [1967] 2 AC 134 7. <i>Bhullar v Bhullar</i> [2003] 2 BCLC 241 	6 hours
Seminar -5	<p>When Shareholders Strike Back: Derivative Actions and Unfair Prejudice Explained</p> <p><i>Question:</i> Courts are not ideally placed to make business decisions. By requiring courts to determine whether litigation should proceed, the new derivative action provisions in India and the UK are likely to result in poor, inconsistent judicial decisions and cause apprehension in the business community. The rule in <i>Foss v Harbottle</i> should have remained intact. Consider this view when evaluating the question.</p> <p><i>Required Readings:</i></p> <ol style="list-style-type: none"> 1. <i>Assessing and Rethinking the Statutory Scheme for Derivative Actions under the Companies Act 2006 in Journal of Corporate Law Studies</i> by Andrew Keay (2016) — Focus on the UK section; you need not address Australian or New Zealand case law. 	6 hours

	<p>2. <i>Companies Act 2006</i>: See sections 232-234, 239, 260-264, 994-999 for a thorough understanding of shareholder remedies.</p> <p>3. <i>Insolvency Act 1986</i>: Refer to section 122(g) for context on corporate insolvency matters.</p> <p>4. <i>Shareholders' Rights and the Rule in Foss v Harbottle</i> in <i>The Cambridge Law Journal</i> by K. W. Wedderburn (1958) — An essential reading on the historical foundation of shareholder remedies.</p> <p>5. <i>Something Old, Something New, Something Borrowed: An Analysis of the New Derivative Action under the Companies Act 2006</i> in <i>Law Quarterly Review</i> by Andrew Keay and Joan Loughrey (2008) — A detailed analysis of the reform in derivative actions.</p> <p>Key Case Law to Review:</p> <p>1. Court Review of Shareholders' Decisions:</p> <ul style="list-style-type: none"> ○ <i>Northwest Transportation Company Ltd v Beatty</i> (1887) 12 App Case 589 ○ <i>Cook v Deeks</i> [1916] 1 AC 554 ○ <i>Regal (Hastings) Ltd v Gulliver</i> [1942] 1 All ER 378 ○ <i>Allen v Gold Reefs of West Africa Ltd</i> [1900-03] All ER Rep 746 ○ <i>Shuttleworth v Cox Bros Ltd</i> [1926] All ER Rep 498 <p>2. The Just and Equitable Winding-Up Remedy:</p> <ul style="list-style-type: none"> ○ <i>Ebrahimi v Westbourne Galleries Ltd</i> [1971] AC 360 <p>3. Unfair Prejudice:</p> <ul style="list-style-type: none"> ○ <i>Scope of Section 994 (formerly s 459 of the Companies Act 2006):</i> <ul style="list-style-type: none"> ▪ <i>Re Citybranch Group Ltd</i> [2004] 4 All ER 735, CA ○ <i>'Legitimate Expectations' and Equitable Considerations:</i> <ul style="list-style-type: none"> ▪ <i>Re Saul D Harrison</i> [1995] 1 BCLC 14, CA ▪ <i>O'Neill v Phillips</i> [1999] 1 WLR 1092, HL ○ <i>Beyond Legitimate Expectations?</i> <ul style="list-style-type: none"> ▪ <i>McGuinness v Bremner</i> [1988] BCLC 673 ○ <i>Unfair Prejudice and the Derivative Action:</i> <ul style="list-style-type: none"> ▪ <i>Bhullar v Bhullar</i> [2003] 2 BCLC 241 ▪ <i>Foss v Harbottle</i> (1843) 2 Hare 462 	
Seminar 6	<p>Soft Law, Hard Choices: Market Discipline and Governance in India vs. the UK</p> <p><i>Write 1-2 paragraphs on the major features of the India and UK Corporate Governance Code (highlighting the nature of companies' obligations, the role of principles and provisions, mechanisms of enforcement).</i></p> <p>This seminar question explores the role and impact of soft law principles and market discipline in shaping corporate governance practices in both India and the UK. Specifically, it examines how non-binding regulations, such as corporate governance codes, influence</p>	6 hrs

	<p>company behaviour in these two jurisdictions. The question invites a comparative analysis of the "comply or explain" approach in the UK, where companies either follow governance codes or provide explanations for deviations, and how similar mechanisms (if any) are applied in India. It also invites discussion on the mechanisms of market discipline, such as investor pressure, shareholder activism, and reputational risk, in promoting corporate accountability in both countries. The seminar will delve into whether market forces can effectively enforce governance standards in the absence of stringent legal requirements and assess whether soft law approaches can be equally or more effective than formal legislation in enhancing corporate governance.</p> <p>Required Readings:</p> <ol style="list-style-type: none"> 1. <i>"Thirty years and done – time to abolish the UK Corporate Governance Code" in Journal of Corporate Law Studies</i>, by Brian R. Cheffins and Bobby V. Reddy (2022). 2. <i>"Comply or Explain": Market Discipline and Non-Compliance with the Combined Code in Corporate Governance: An International Review</i>, by Iain MacNeil and Xiao Li (2006). 3. <i>Comply or Explain in Corporate Governance Codes: In Need of Greater Regulatory Oversight in Legal Studies</i>, by Andrew Keay (2014). 4. <i>Assessing Accountability of Boards under the UK Corporate Governance Code in Journal of Business Law</i>, by Andrew Keay (2015). 5. <i>The Corporate Governance 'Codes of Conduct' between State and Private Law in SSRN Electronic Journal</i>, by Eddy O. Wymeersch (2007). 6. <i>What Constitutes an Explanation under 'Comply or Explain'? by the Financial Reporting Council</i> (2012). 	
Seminar -7	<p>Culture Meets Diversity: Shaping Governance through Diverse Boards</p> <p><i>How Do Corporate Culture and Board Diversity Influence Governance Practices in India and the UK?</i></p> <p>Required Reading:</p> <ol style="list-style-type: none"> i Corporate Culture, by the Financial Reporting Council ii Fostering a Positive Corporate Culture: Challenges and Opportunities, by the Financial Reporting Council iii Gender Diversity on Corporate Boards: Moving Beyond Quotas, in <i>European Business Law Review</i>, by Barnali Choudhury, 2015 iv FTSE100 Companies' Approach to Gender Equality, in <i>International and Comparative Corporate Law Journal</i>, by Roseanne Russell, 2017 v Culture and Law in Corporate Governance, in <i>SSRN Electronic Journal</i>, by Amir N. Licht, 2014 	6 hrs

	<p><i>vi Board Diversity: People or Pathways?, in Law and Contemporary Problems, by June Carbone, 2022</i></p> <p>In April 2022, the Financial Conduct Authority (FCA) introduced new Listing Rules (9.8.6R(9) and 14.3.33R(1)), which require most standard and premium listed companies to disclose in their annual reports whether they have met diversity obligations on a 'comply or explain' basis. These rules are part of the Disclosure Guidance and Transparency Rules (DTRs), which mandate large companies listed on UK-regulated markets to report on board diversity, covering aspects such as age, gender, geographic background, and professional qualifications.</p>	
Seminar 8	<p>Incentives at the Top: The Controversy and Complexity of Executive Remuneration</p> <p><i>Discuss the structure and components of executive pay in India and the UK. Why do you believe the remuneration of executive directors continues to be a contentious issue? Reflect on the provided discussion questions and be prepared to contribute to the conversation.</i></p> <p>Required Reading:</p> <ul style="list-style-type: none"> <i>i Corporate Governance Code 2018, by the Financial Reporting Council, 2018 Essential See: Part 5 on Remuneration</i> <i>ii Guidance on Board Effectiveness, by the Financial Reporting Council, 2018 Essential See: pages 34-37</i> <i>iii Corporate Governance Reform: Green Paper (2016), by the Department for Business, Energy, and Industrial Strategy, 2016 Essential Focus on the section on Executive Pay</i> <i>iv Directors' Remuneration Reforms: Frequently Asked Questions, by the Department for Business and Trade; Department for Business, Energy & Industrial Strategy, 2013</i> <i>v Managerial Remuneration: The Indirect Pay-for-Performance Relation, in Journal of Corporate Law Studies, by Joseph A. McCabery and Luc Renneboog, 2001</i> <p>Legislation:</p> <ul style="list-style-type: none"> <i>i Companies Act 2006 See: ss. 160; 188; 215-222; 412; 420-422A, 439-440</i> <i>ii The Companies (Model Articles) Regulations 2008 See: Arts 23 ("remuneration") and 24 ("expenses")</i> <i>iii Companies Act, 2013 See: ss 197, 198, 200-203, Schedule V</i> 	6 hrs
Seminar 9	<p>Influence or Overreach? Institutional Investors, Stewardship, and Activism in Modern Corporations</p> <p>Come prepared to engage in a discussion on the seminar questions. Make sure to thoroughly review the texts from the Global Stewardship collection. You may also explore additional relevant chapters beyond</p>	6 hrs

	<p>the recommended readings, as there are many insightful comparative contributions. The Stewardship Code 2020 is particularly important for this week's discussion.</p> <p>Required Readings:</p> <ul style="list-style-type: none"> i "Good Activist/Bad Activist: The Rise of International Stewardship Codes" by Jennifer G. Hill (<i>Seattle University Law Review</i>, 2017). ii "From a Financial to an Entity Model of ESG" by Iain MacNeil (<i>European Business Organization Law Review</i>, 2022). iii "From Responsible Saver to Stewarded Investor?" by Sally Wheeler. iv <i>Fiduciary Duty in the 21st Century Final Report by the UN Environment Programme</i> (2019), pages 9-22 and 51-59 (UK Country analysis). 	
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LIST OF OTHER READINGS (Optional)

S.No	Citations
1.	Murthy, Narayana N.R. "Corporate Governance and Its Relevance to India." <i>India International Centre Quarterly</i> 38, no. 3/4 (2011): 280–88. http://www.jstor.org/stable/41803985 .
2.	Morrison, Janet. "Legislating for Good Corporate Governance: Do We Expect Too Much?" <i>The Journal of Corporate Citizenship</i> , no. 15 (2004): 121–33. http://www.jstor.org/stable/jcorpciti.15.121 .
3.	Tirole, Jean. "Corporate Governance." <i>Econometrica</i> 69, no. 1 (2001): 1–35. http://www.jstor.org/stable/2692184 .
4.	Jacoby, Sanford. "Corporate Governance and Society." <i>Challenge</i> 48, no. 4 (2005): 69–87. http://www.jstor.org/stable/40722316 .
5.	Kling, Blair B. "The Origin of the Managing Agency System in India." <i>The Journal of Asian Studies</i> 26, no. 1 (1966): 37–47. https://doi.org/10.2307/2051830 .
6.	The Managing Agency System: A Case for Its Abolition Author: R.K. Hazar https://www.epw.in/system/files/pdf/1964_16/5-6-7/the_managing_agency_systema_case_for_its_abolition.pdf
7.	Corporate Law in Colonial India: Rise and Demise of the Managing Agency System, NUS Working Paper 2015/016 NUS Centre for Law & Business Working Paper 15/06 NUS Centre for Asian Legal Studies Working Paper 15/11, https://law.nus.edu.sg/wp-content/uploads/2020/04/016_2015_Umakanth-Varottil.pdf
8.	G20/OECD Principles available at https://www.oecd.org/daf/ca/CorporateGovernance-Principles-ENG.pdf
9.	"The Role and Composition of the Board of Directors of the Large Publicly Owned Corporation—STATEMENT OF THE BUSINESS ROUNDTABLE."
	<i>The Business Lawyer</i> 33, no. 4 (1978): 2083–2113. http://www.jstor.org/stable/40685901 .
10.	Williamson, Oliver E. "Corporate Boards of Directors: In Principle and in Practice." <i>Journal of Law, Economics, & Organization</i> 24, no. 2 (2008): 247–72. http://www.jstor.org/stable/40058166 .

11.	Bhattacharya, S. K. "Managing the Board." <i>Economic and Political Weekly</i> 16, no. 35 (1981): M103–12. http://www.jstor.org/stable/4370164 .
12.	Kang, Lakhwinder Singh, and Payal. "Independence of Remuneration Committee & Executive Remuneration in India." <i>Indian Journal of Industrial Relations</i> 52, no. 1 (2016): 17–36. http://www.jstor.org/stable/43974595 .
13.	Varottil, Umakanth. "India's Corporate Governance Voluntary Guidelines 2009: Rhetoric or Reality?" <i>National Law School of India Review</i> 22, no. 2 (2010): 1–28. http://www.jstor.org/stable/44283789 .
14.	"The Role and Composition of the Board of Directors of the Large Publicly Owned Corporation—STATEMENT OF THE BUSINESS ROUNDTABLE." <i>The Business Lawyer</i> 33, no. 4 (1978): 2083–2113. http://www.jstor.org/stable/40685901 .
15.	Baysinger, Barry D., and Henry N. Butler. "Corporate Governance and the Board of Directors: Performance Effects of Changes in Board Composition." <i>Journal of Law, Economics, & Organization</i> 1, no. 1 (1985): 101–24. http://www.jstor.org/stable/764908 .
16.	Dharmapala, Dhammika, and Vikramaditya Khanna. "Corporate Governance, Enforcement, and Firm Value: Evidence from India." <i>Journal of Law, Economics, & Organization</i> 29, no. 5 (2013): 1056–84. http://www.jstor.org/stable/43774383 .
17.	Maheshwari, Sunil Kumar, and Ramesh Bhat. "Functioning of Boards in PSBs in India." <i>Indian Journal of Industrial Relations</i> 54, no. 1 (2018): 193–98. https://www.jstor.org/stable/26536522 .

CORPORATE GOVERNANCE ASSESSMENT PROJECT AND PRESENTATION

To be part of Seminar Paper

The instructor will distribute a corporate governance Questionnaire to all students at the beginning of the session and also syllabus. The survey instrument was prepared by the instructor for the purpose of corporate governance rating of listed companies and it is currently in use in a number of locations.

Each student will be identify minimum 2 publicly traded company (preferably a BSE 500 firm) at the beginning of the session. This is the company the student will analyse and assess the corporate governance compliance and identify any weaknesses.

You will conduct research on recent corporate governance related articles about the S&P 500 company you have been assigned.

These sources may include the corporate website, SEBI, the BSE/NSE, or the Wall Street Journal or other business periodicals (FT, Fortune, Forbes, Bloomberg, CNBC, etc.).

a- About the Corporate Governance Survey and Scoring project:

- This is **an individual** project.
- You may work as a group or individually as this will facilitate your understanding of the topic. The paper is individually graded.
- Individuals or teams may request meetings with the instructor as required to clarify any issues.
- The final project will be submitted via MS Teams and Hard Copy by each individual student on due date.

The goal of this assignment is to conduct a corporate governance scoring survey, and provide the corporate governance assessment of a listed company based on the OECD principles of corporate governance.

The learning objective of this exercise is to understand how the CG Principles are operationalized.

Students will write a corporate governance assessment paper and provide recommendations. Papers will be individual.

b- Guidance on structural details of the project:

Write your paper in MEMO format to the investment committee at your company.

The paper should not exceed the maximum of 6–8 pages, excluding appendices.

There is no limit on the number of appendices you may provide.

Try to be concise in your report. Avoid using language directly from any website; make sure you properly reference all statements from any sources.

Summarize the information in your own words, and provide references when necessary.

Please use the following structure for your Corporate Governance Assessment paper:

- i) **Executive Summary/Introduction :** (1–2 *pages maximum*) Using the data you have collected from the company website and other publicly available information, prepare the executive summary that should clearly state the objectives, background and the main findings of your corporate governance assessment paper on the selected company.
- ii) **Company Background :** (1 *page maximum*) Prepare a brief, one page maximum review of the company background, important issues reported in its US SEC filings, and other information you have collected. You may provide the following information in an attached exhibit, with proper references provided.
- (1) The company organization, its values, vision, mission, products (keep it very short);
 - (2) Corporate financial information, revenues, capitalization, stock price, ROE, ROI, PE ratio, Book/Market ratio, its management team and corporate governance practices. Using a table in the appendix, discuss some of the highlights. (prepare a short table of information and attach it to the end in an appendix);
 - (3) Do not simply copy and paste from company web site. Summarize the information in your own words.
 - (4) Make sure you provide references properly. Provide the list of references at the end of the report.
- iii) **The Written Report on CG Questionnaire:** Using the 100-question CG survey instrument you are provided, determine your survey findings and calculate the CG score. Using the guidance in the provided survey instrument, rank this company (from 1–5) based on your survey score (if any). A suggested structure is as follows:
- (1) Process the questions in the Excel spreadsheet survey, summarize your findings, and provide charts and exhibits. Try to keep it short.
 - (2) If and when appropriate, explain why some of the survey questions may or may not be applicable.
 - (3) Discuss your CG Scoring findings. Copy and paste the summary table and the chart into your report (from the top of the spreadsheet that automatically populates the results). **(DO NOT INCLUDE THE COMPLETED EXCEL SPREADSHEET SURVEY WITH YOUR REPORT)**
 - (4) Discuss specifically the corporate governance Strengths, Weaknesses, Opportunities and Threats (SWOT), and how some of the observations you have made relate to pertinent topics covered in the course.
 - If you source any data from the company web site, provide reference.
 - For any such information, you may paraphrase and write it in your own words.
- iv) **Findings and conclusions:** (2 *pages maximum*) provide a small summary table of findings and discuss the SWOT. Discuss any of the available corporate governance mechanisms that are relevant to the chosen firm and the advantages and disadvantages

of those mechanisms. While discussing your findings, try to bring in academic literature and/or provide practical evidence to support your argument.

- Discuss the main CG issues that you identified given the theoretical background.
 - The conclusions should summarize the main findings and discuss their implications for the particular firm, investors, regulators and the economy.
 - Your recommendations should have three to five specific points the company board could do to improve a situation you have determined in the company.
- v) **Attachments:** Include references, charts figures and/or tables as evidence to support your report.
- vi) **Class Presentation/Discussion):** This is part of Project Viva- participation, in addition to the written report.

Evaluation Criteria of Seminar Paper

Components	Description	Weightage in %
Seminar paper	Class Room Presentation of Rough Draft of Synopsis	10 Marks (10%)
Seminar Paper	Class Room Presentation of Final Synopsis	15 Marks (15%)
Seminar Paper	Written Seminar Paper	55 Marks (55 %)
Seminar Paper	Class Room Presentation of Final Seminar Paper with Viva - Voce -	15 Marks (15%)
Attendance	Class Room Attendance	5 Marks (5%)

Recommended/Reference Text Books and Resources:

Text Books

One or any of the following books:

- 1. Dignam, A. and J. Lowry Company law. (Oxford: Oxford University Press, 2022) 12th edition [ISBN 9780192865359].**
- 2. A. Ramaiya Guide to Companies Act, Lexis Nexis Butterworths, Wadhwa, Nagpur**
- 3. Dr.Avtar Singh Company Law, EBC, Latest edition.**
- 4. Pettet's Company Law and Corporate Finance J. Lowry and A. Reisberg (Harlow, Longman, latest ed)**
- 5. Gower and Davies' Principles of Modern Company Law (latest ed)**
- 6. Hannigan's Company Law (Oxford: OUP, latest ed)**
- 7. L.S. Sealy and S. Worthington Cases and Materials in Company Law (Oxford, OUP latest edition)**

Web Resources

<https://www.mca.gov.in/content/mca/global/en/acts-rules/ebooks.html>

<https://blogs.law.ox.ac.uk/oblb>

Instructor Details

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Signature

JUDICIAL CONTROL IN ADMINISTRATIVE JUSTICE

-Dr. Peter Ladis F

Course Outcome

Objective of the course 'Judicial Control in Administrative Justice' is mainly to study the Judge-Made Law having its jurisprudence in the philosophical school of Legal Realism and has secured its present features through a myriad of judicial decisions. The historical evolution of the judicial agencies reviewing administrative procedures, jurisdictional aspects of administrative decision making subjected to review, the grounds on which decisions are challenged, the scope of review of delegated legislation and the limitations on the judicial review of administrative action are to be studied in detail in this course. The procedural fairness is the key to good administrative decision and the various remedies rendered in judicial process clear the way for achieving administrative justice. The ever increasing numbers of delegated legislations in the form of rules, regulations, circulars and general orders have the characteristics of law, which though framed by administration, impose burden on the rights of citizens. Keeping this specie of administration beyond judicial review is neither in the interests of the general public nor for laying down standards of administrative behaviour. This Seminar Paper, with the above mentioned perspective in view, comprises of the following units to be addressed by the students collaboratively in the class room by way of group discussion, presentations of the synopsis, presentation of the Final Seminar Paper and the viva-voce.

Modules for Students

1. Judicial Review
 - 1.1. Meaning and Scope of Judicial Review
 - 1.2. Exercise of Jurisdiction – Judicial Review
 - 1.3. Doctrine of Proportionality and tests for proportionality
 - 1.4. Reasonableness of order of statutory authority: Tests
 - 1.5. Judicial Review in administrative matters
 - 1.6. Public Trust Doctrine and Judicial Review
2. Policy Decisions in Course of Administrative Processes and Judicial Review
 - 2.1. General Principles of Policy Decisions
 - 2.2. Policy Decision versus Natural Justice
 - 2.3. Public Interest Litigation seeking judicial Review for larger public interests

3. Judicial Control of Administrative Action
 - 3.1. Judicial Review of Administrative Action
 - 3.2. Judicial Review of Statutory Discretionary Action
 - a. Substantive ultra vires
 - b. Procedural ultra vires
 - c. Constitutional ground
 - 3.3. Judicial Review of Quasi-Judicial Decisions and of Tribunals
 - 3.4. Breach of Natural Justice: Violation of the Principles of Natural Justice
4. Limits of Judicial Review
5. Forms of Judicial Review (selected forms)

Learning Outcomes

The course aims to discuss and inculcate the scholars with the extensive knowledge with regard to judicial control in administrative justice.

The scholars will be able to undertake in-depth study of administrative justice.

Analysis of the control mechanism over the administrative bodies will enhance the scholars to contemplate on the abuse of power.

The scholars will enhance the skill of preparation and presentation of the subject matter.

The Submission of the Seminar Paper and the viva-voce will be a contribution to the subject by each scholar.

Evaluation Criteria

Components	Description	Weightage in %
Attendance	Class Room Attendance	5%
Rough Draft	Class Room Presentation of Seminar Paper Synopsis (Proposal)	10%
Final Synopsis	Class Room Presentation of Seminar Paper Synopsis (Final)	15%

Written Seminar Paper	Submission of the Final Seminar Paper	55%
Presentation and viva-voce	Class Room Presentation of Final Seminar Paper with Viva-Voce	15%

Recommended Text Books and Resources:

1. Durga Das Basu, Administrative Law, (2015), Kamal Law House, Kolkata.
2. Harry Woolf, De Smith's Judicial Review (7th Ed), (2013), Sweet and Maxwell Ltd., U.K.
3. De Smith, Judicial Review of Administrative Action (1995), Sweet and Maxwell Ltd., U.K.
4. S.P. Sathe, Administrative Law (2010), Lexis Nexis, India.
5. I.P. Massey, Administrative Law (2022), Eastern Book Company, Lucknow.
6. Bagawati Prosad Banerjee, Writ Remedies, (2013), Lexis Nexis, India.
7. M.P.Jain & S.N. Jain, Principles of Administrative Law, (2016) Lexis Nexis, India.
8. Jain & Jain, Principles of Administrative Law, (2017) Lexis Nexis, India.

Chanakya National Law University, Patna
LLM – Criminal Law (Specialization); SEMESTER- 2nd

Course Title: *Understanding Online Child Sexual Exploitation and Abuse (OCSEA) and its Legal Framework in India: Risk, Responses and Prevention*

Course Overview

This seminar course seeks to critically examine the evolving dimensions of online offences against children in India. As digital technology and internet usage proliferate, the evolving dimensions of these crimes need an in-depth exploration of their multifaceted dimensions, psychological impacts, legal frameworks, and investigative processes. The course proposes to engage with the complexities of online child sexual exploitation and abuse (OCSEA), focusing on key challenges unique to India. This includes gaps in the legal framework, judicial trends, psychological impact and investigative processes, in addition to evidence collection and development of a CSAM schema. Through a combination of lectures, case studies, discussions, and expert insights, this course aims to equip participants with a comprehensive understanding of OCSEA in India. By addressing both theoretical frameworks and practical challenges, attendees will be prepared to contribute meaningfully to efforts aimed at prevention, intervention, and advocacy in this critical area.

Learning Outcomes

The participants will be able to:

1. **Articulate the Characteristics of Cyberspace:** Articulate the characteristics of cyber space and its implications on prevalence of cybercrimes against children.
2. **Understand Risks in the Online Environment:** Demonstrate an understanding of nature of cyber space and risk associated with children in the online environment and to that end analyse the psychological profile and characteristics offenders (key traits and behaviours) and child victims (focus on emotional and mental health issues)
3. **Compare Legal Definitions:** Compare and contrast the legal definitions of various online sexual offenses against children (OCSEA) within Indian law and international law, identifying similarities and differences.
4. **Analyze Current Trends:** Demonstrate knowledge and understanding of current trends on OCSEA in India.
5. **Understand Reporting and Investigative Processes:** Demonstrate an understand of the processes involved in the reporting, investigation, prosecution, and evidence appreciation related to cybercrimes, with specific focus on online crimes against children.
6. **Identify Challenges for Law Enforcement:** Demonstrate an understanding of challenges faced by law enforcement agencies in effectively addressing OCSEA cases.

7. **Develop a CSAM Categorization Schema:** Develop a schema for categorizing CSAM specific to the Indian context, taking into account cultural, legal, and technological factors.

List of Topics/ Modules

Topic/ Module	Contents/ Concepts	Sessions / Lectures
Module I:	Nature of cyberspace and its relationship with cybercrimes and especially online child sexual exploitation and abuse (OCSEA) crime against children.	4
Module II:	Psychological profile and characteristics of <ul style="list-style-type: none"> - online sexual offenders against children - children who are victims of online sexual offences 	8
Module III:	Meaning, legal definition, trend of OCSEA in India and a comparative study of their definitions in international law and Indian Law; Variation, gaps, new categories of offences (OCSEA) in Indian context	16
Module IV:	Develop a schema for categorizing CSAM specific to the Indian context	6

Recommended/Reference Text Books and Resources:

Text Books:

- Debarati Halder. (2018). 'Child Sexual Abuse and Protection laws in India. 1st Edition, p 105. Sage Publication
- John Brown Online Risk to Children Impact, Protection and Prevention, 1 st edition 2017 John Wiley & Sons, Ltd
- Halder, D. (2021). *Cyber Victimology: Decoding Cyber Crime Victimisation*. Routledge.

References

- Halder, D. D. (2015). Children of internet era: A critical analysis of vulnerability of children in the darker sides of social media and whatsapp. *Accompanying social networking in teacher education* (pp. 17-24). Chennai: Loyola College of Education.
- Halder, D., & Jaishankar, K. (2014). Patterns of Sexual Victimization of Children and Women in the Multipurpose Social Networking Sites. In C. D. Marcum, & G. E. Higgins, *Networking as a Criminal Enterprise* (p. 129). New York: CRC Press.
- Haney, R. (7 December 2021). Addressing the Increase of Online Child Sexual Abuse in the Pandemic. *Science and Technology Law* , 22.
- Child Rights and You. (2020). *COVID-19: ITS IMPACT ON CHILDREN*. CRY.

- Cohen-Almagor, R. (2015). Necitizenship: Addressing Cyberrevenge and Sexbullying. *Journal of Applied Ethics and Philosophy* , 14-23.
- EUROPOL. (19 June 2020). *EXPLOITING ISOLATION: Offenders and victims of online child sexual abuse during the COVID-19 pandemic*. EUROPOL.
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- Goddard, C., & Saunders, B. J. (June 2001). *Child abuse and the media*. Australian Institute of Family Studies, Australian Government.
- Halder, D., & Jaishankar, K. (2013). Revenge Porn by Teens in the United States and India: A Socio-Legal Analysis. *International Annals of Criminology* , 85-111.
- ICUBE 2020. (June 2021). *Internet Adoption in India*. KANTAR.
- India Child Protection Fund. (April 2020). *Child Sexual Abuse Material In India: Report On Demand For Child Pornography & Pilot Deterrence Using Artificial Intelligence*. New Delhi: India Child Protection Fund.
- National Human Rights Commission. *Guidelines for the media in addresing the issue of child sexual abuse*. India: National Huma Rights Commission.
- Parliament of India, Rajya Sabha. (January 2020). *Report of the Adhoc committee of the Rajya Sabha to study the alarming issue of pornography on social media and its effect on children and society as a whole*. New Delhi: Rajya Sabha Secretariat.
- Singh, A., Chandan, N., Pagariya, R., Sahni, S., Sahu, S., & Iyer, S. (2020). *End (-to-end encrypted) Child Sexual Abuse Material*. New Delhi: Cyber Peace Foundation.
- Singh, N., & Bishnoi, K. (September 2016). *Child Online Protection in India*. New Delhi: UNICEF.
- UNICEF. (2016). *Child protection in the digital age* . Bangkok: UNICEF EAPRO.\
- UNICEF Innocenti Research Centre. (2011). *Child Safety Online: Global challenges and strategies*. Florence: UNICEF Innocenti Research Centre.
- UNICEF. (2016). *Survey on Parental Awareness of Online Child Abuse Risks*. UNICEF.
- UNICEF. (2021). United Nations Children's Fund (2021) Ending online child sexual exploitation Addressing technology-facilitated child sexual exploitation and abuse in the face of COVID-19. In *United Nations Children's Fund (2021) Ending online child sexual exploitation: Lessons learned and promising practices in low- and middle-*. New York: UNICEF Child Protection Team. United Nations. (January 2021).
- *User Handbook on Protection of Children from Sexual Offences Act, 2012*. New Delhi: National Commission For Protection Of Child Rights (Ncpur). Working Group on Child Online Safety. (October 2019)
- Netkova, B., & Mustafa, A. (2021). International Legal Standards in Combating Child Online Sexual Abuse and Exploitation. *Journal of Liberty and International Affairs (JLIA)*, 6(3), 111-122.
- Dabrowska, M. (2021). The unclear picture of child sexual abuse material (csam) online volumes during the covid-19 pandemic. *Bialostockie Studia Prawnicze*, 26(6), 109-126.
- Halder, D., & Jaishankar, K. K. (2013). Revenge porn by teens in the united states and india: socio-legal analysis. *International Annals of Criminology*, 51(1-2), 85-112.
- Singh S, Saini R, Sagar R. Quality of online news media reports of child sexual abuse in India. *Ind Psychiatry J* [Epubahead of print] [cited 2022 Aug 11]. Available from: <https://www.industrialpsychiatry.org/preprintarticle.asp?id=346508>

- Godejord, P. A. (2008). Perspectives on awareness work in the field of sexual abuse of children in digital media. In M. J. Smith (Ed.), *Child sexual abuse: Issues and challenges* (pp. 1–8). Nova Science Publishers.
- Elena Cama (2018) Sexual violence in a digital age, by Anastasia Powell and Nicola Henry, London: Palgrave Macmillan, 2017, 317 pp., €114.99 (hardback), €95.19 (e-Book), ISBN 978-1-137-58046-7 (hardback), ISBN 978-1-137-58047-4 (e-Book), Australian Journal of Human Rights, 24:1, 134-137, DOI: [10.1080/1323238X.2018.1438034](https://doi.org/10.1080/1323238X.2018.1438034)
- UNODC. (2015). *Study on the Effects of New Information Technologies on the Abuse and Exploitation of Children*. New York: United Nations.

Web Resources

https://www.who.int/health-topics/violence-against-children#tab=tab_1
<https://www.guttmacher.org/journals/ipsrh/1997/06/global-concern-childrens-rights-world-congress-against-sexual-exploitation>
https://www.unicef.org/media/48581/file/SOWC_2017_ENG.pdf
<https://reverieinc.com/wp-content/uploads/2020/09/IAMAI-Digital-in-India-2019-Round-2-Report.pdf>
<https://www.interpol.int/en/News-and-Events/News/2022/INTERPOL-Secretary-General-Online-child-sexual-abuse-at-record-levels>
<https://www.iwf.org.uk/media/23jj3nc2/distribution-of-captures-of-live-streamed-child-sexual-abuse-final.pdf>
<https://www.cry.org/downloads/safety-and-protection/Cybersafety-of-children-during-COVID-19-and-beyond.pdf>
<https://www.haqcsrc.org/new-at-haq/children-in-lockdown-media-report-analysis>
<https://cis-india.org/internet-governance/files/revenge-porn-laws-across-the-world>
<https://www.mjilonline.org/no-more-revenge-criminalizing-non-consensual-pornography-through-the-convention-on-cybercrime/>
<https://www.gov.uk/government/publications/childrens-online-activities-risks-and-safety-a-literature-review-by-the-ukccis-evidence-group>
<https://www.nspcc.org.uk/what-is-child-abuse/types-of-abuse/child-sexual-abuse/>
<https://www.justice.gov/archives/jm/criminal-resource-manual-1973-definitions-18-usc-2251-2251a-2252a-and-2252#:~:text=%22Sexually%20explicit%20conduct%22%20means%20actual,the%20genitals%20or%20pubic%20area>
https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=18-USC-821371409-1416780790&term_occur=999&term_src
<https://www.nspcc.org.uk/what-is-child-abuse/types-of-abuse/child-sexual-exploitation/#what>
<https://www.nspcc.org.uk/what-is-child-abuse/types-of-abuse/bullying-and-cyberbullying/>
<https://www.ohchr.org/sites/default/files/Documents/ProfessionalInterest/cedaw.pdf>
<https://youtu.be/NQfLfixUY8Q>
<https://www.unodc.org/e4j/zh/cybercrime/module-12/key-issues/online-child-sexual-exploitation-and-abuse.html>
<https://www.nhs.uk/live-well/how-to-spot-child-sexual-exploitation/>

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