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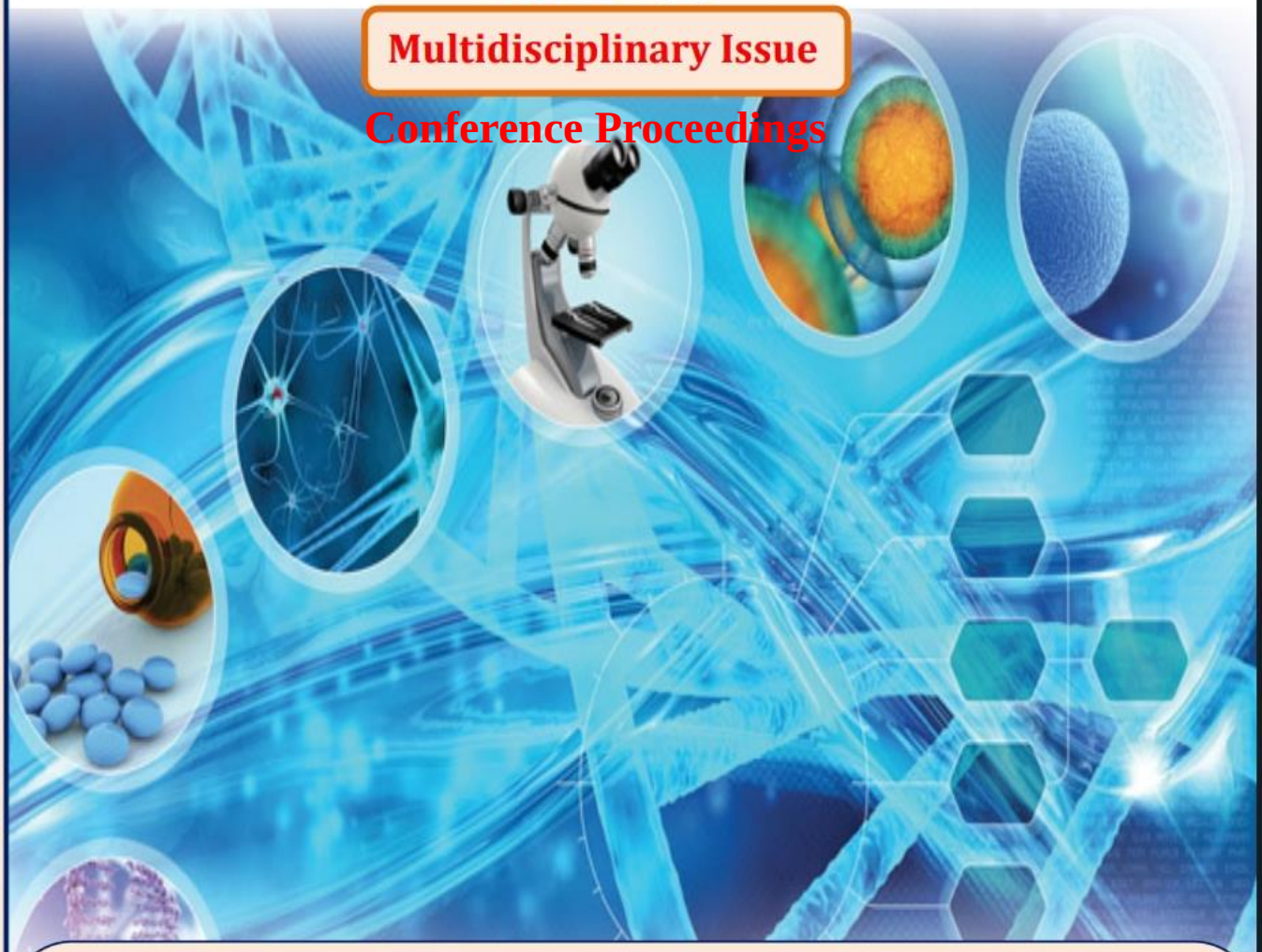

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Analytical Study of UGC (Promotion of Academic Integrity and Prevention of Plagiarism in Heis) Regulation, 2018

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Abstract:

The present paper aims to analyse provisions of University Grants Commission regarding academic integrity and plagiarism. UGC took steps to control growing cases of plagiarism in research in higher educational institutions and one major step was promulgation of UGC (Promotion of Academic Integrity and Prevention of Plagiarism in HEIs) Regulation, 2018. Plagiarism is regulated under the Regulation by laying down levels of similarity. In its aim to enhance standard of research in higher educational institutions, University Grants Commission laid down rules for script in the form of thesis, dissertation, research papers at masters and research level. The Regulations attempts to prohibit plagiarism and regulate provisions of references in research.

Key words: Academic integrity, plagiarism, research, script, similarities.

Introduction:

India has highest number of research publications to its credit but qualitatively the research publications do not satisfy the academic standard. Increasing incidents of plagiarism by high level academicians across Universities in India created need of regulating research in higher education institutions. Involvement of vice chancellors, readers, professors in cases of plagiarism posed question mark on reliability of Indian research. In order to create awareness about plagiarism, UGC promulgated the present regulation known as 'University Grants Commission (Promotion of Academic Integrity and Prevention of Plagiarism in HEIs) Regulation, 2018. The Regulation controls research activities of students, teachers, academicians, research scholars of Higher Education Institutions.

Objectives of the Regulation:

The regulation aims,

a. To create awareness about responsible conduct in the course of research. The Regulation also intends to promote academic integrity and prevent misconduct in research. In other words, the Regulation attempts to prevent plagiarism in academic writing.
b. To establish institutional mechanism to facilitate responsible conduct of research, thesis, dissertation by educating and training programs.
c. To achieve above aims the Regulation also aims to develop systems to detect plagiarism. To this end, it also guides on setting up of mechanism.
d. To punish a student, faculty, researcher or staff of HEI committing the act of plagiarism.

Creating awareness about academic integrity:

The Regulation makes provisions for creating academic integrity and for that it imposes duty on HEI under Section 4. It says that every HEI should establish the mechanism as prescribed in the Regulation to enhance awareness about the responsible conduct of research and academic activities to promote academic integrity and to prevent plagiarism. For this the HEIs shall arrange awareness programs and train the stakeholders.

Academic integrity?

Academic integrity is intellectual honesty in proposing, performing and reporting any activity which leads to creation of intellectual property according to section 2(a). The term academic integrity is essentially related with intellectual property rights specially copyright. Copyright subsists in literary, dramatic, musical and other such artistic work too. Copyright also exists in computer programs. Present Regulation endeavors to protect moral right of copyright owner that right to integrity and right of paternity. By prohibiting plagiarism, the Regulation preserves right of paternity or authorship.

Plagiarism-

Plagiarism, according to section 2(m) means the practice of taking someone else's work or idea and then passing them as one's own. In order to understand the concept of plagiarism, it is necessary to see provisions of the Copyright Act, 1957 and according to it, copyright does not subsist in idea or concept or plot but it subsists in its expression. Thus, if same idea is presented differently by two or more persons, it may not amount to plagiarism. The plagiarism tools fail to understand this difference and hence strict implementation of such regulations may cause injustice.

Section 5-Awareness programs and trainings

i. The HEI shall arrange awareness programs and trainings for students, faculty, research and staff about proper attribution, seeking permission of the author wherever necessary, acknowledgement of source compatible with the needs and specifications of disciplines. All these tasks must be conducted in accordance with rules, International Conventions and Regulations governing the source.
ii. HEI shall sensitize seminar or programs in every semester emphasising on responsible conduct of research, thesis, dissertation, promotion of academic integrity and ethics in education for students, faculty and staff.
iii. The Regulation suggests ways to create awareness and asks the HEIs,
iv. To include in the curriculum cardinal principles of academic integrity at both UG & PG level as a compulsory course work or module,
v. To include elements of responsible conduct of research and publication ethics as a compulsory course work or module for masters and research scholars,
vi. To include elements of responsible conduct of research and publication ethics FDAIPs of faculty members,
vii. To train student, faculty, research and staff for using plagiarism detection tools and reference management tools,
viii. To establish facility equipped with modern technologies for detection of plagiarism,
ix. To encourage student, faculty research and staff to register on international researchers' Registry system.

To curb plagiarism Section 6-

The Regulation also aims to curb the menace of plagiarism in order to strengthen academic integrity. Section 6 describes various provisions for curbing plagiarism and these are-

i. HEI shall declare and implement the technology-based mechanism using appropriate software so as to ensure that documents such as thesis, dissertation, publication or any other such documents are free of plagiarism at the time of their submission.

ii. Such mechanism mentioned above shall be made accessible to all engaged in research work including student, faculty, researcher, staff, etc.
iii. Every student submitting a thesis, dissertation or any other such document to the HEI shall submit an undertaking indicating that the document has been prepared by him or her and that the document is his or her original work and free of any plagiarism.
iv. The undertaking shall include the fact that the document has been duly checked through a plagiarism detection tool approved by the HEI.
v. HEI shall develop a policy on plagiarism and get it approved by its relevant statutory body. The approved policy shall be placed on the homepage of the website.
vi. Every supervisor shall submit a certificate indicating that the work done by the researcher under him or her is plagiarism free.
vii. HEI shall submit to INFLIBNET soft copies of all Masters research programs in dissertations and theses within a month after the award of degrees for hosting the digital repository under the *shodhganga* e-repository.
viii. HEI shall create institutional repository on institutional website which shall include dissertation or thesis or paper or publication and other in house publications.

Thus, by section 6, responsibility of curbing plagiarism is shouldered on all the persons engaged in research i.e. HEIs who award degree, students who undertake research and research supervisors who supervise the process of research. By creating repository on website of HEI, it intends to publicise research work. In the words of Bentham, "…security of securities is publicity."

Exceptions to plagiarism:

The Regulation through section 7 takes care of repetition of literature as it is natural to occur because research is searching again and again. Hence, it is very apt that previous research work is used by new researchers for strengthening their views or contradicting the same. The exception is provided under the head of similar work that can be excluded from purview of plagiarism.

Section 7 Similarity Checks for exclusion from plagiarism

The similarity check for plagiarism shall exclude the following,

a. All quoted work reproduced with all necessary permission and/or attribution
b. All references and bibliography, table of content, preface and acknowledgement
c. All generic terms, laws, standard symbols and standard equations.

However, the section mandates that idea of research work must be original. The meaning of word 'original' can be one which is not copied. Section 7 further lays down broad structure of research which shall include abstract, summary or hypothesis, observations, results, conclusions and recommendations only and shall not have any similarities. It shall exclude a common knowledge or coincidental terms up to 14 consecutive words.

Quantification of plagiarism:

In order to decide whether research work is plagiarized or not, it is necessary to decide levels of plagiarism that is what quantity of similarity would amount plagiarism and what not, has to be scaled down. This will help in deciding penalty accordingly. Section 8 of the Regulation deals with quantification of plagiarism.

Levels of plagiarism section 8

Plagiarism would be quantified into following levels in ascending order-

A. Level 0: Similarities up to 10% minor similarities no penalty,
B. Level 1: Similarities above 10% to 40%,
C. Level 2: Similarities above 40% to 60%,
D. Level 3: Similarities above 60%

Mechanism to deal with plagiarism:

For result oriented implementation of any legislation, it is necessary that the legislation establish machinery for implementation of the legislation otherwise legislation would become mere formality. The Regulation establishes Departmental Academic Integrity Panel and Institutional Academic Integrity Panel for enquiry of cases of plagiarism. After detection and reporting of case of plagiarism under section 9, these Panels are set into motion.

Authorities of HEI can also take *suomotu* notice of an act of plagiarism and initiate proceedings under these regulations. Similarly, proceedings can also be initiated by the HEI on the basis of findings of an examiner. All such cases will be investigated by the IAIP.

DAIP & IAIP:

Section 10 Departmental Academic Integrity Panel

All departments in HEI shall notify a DAIP and it shall comprise-

i. Chairman-Head of the Department,
ii. Member-Senior academician from outside the department to be nominated by the Head of HEI
iii. Member-a person well versed with anti-plagiarism tools to be nominated by the Head of the Department.

The tenure of members shall be two years and the quorum for the meeting shall be two out of the three including chairman.

Procedure at DAIP:

Section 10 further provides rules to be followed by the DAIP against complaint of plagiarism.

The DAIP shall follow the principles of natural justice while deciding about the allegations of plagiarism against the student faculty researcher and staff.

The DAIP shall have the power to assess the levels of plagiarism and recommend penalties accordingly

The DAIP after investigation shall submit its report with the recommendation on penalties to be imposed to the IAIP within a period of 45 days from the date of receipt of complaint or initiation of proceedings.

Section 11 Institutional Academic Integrity Panel

HEI shall notify IAIP having following constitution-

1. Chairman Pro VC/Dean/senior academician of the HEI
2. Member senior academician other than one to be nominated by the head of HEI
3. Member one member nominated by the HEI from outside the HEI
4. Member a person well versed with anti-plagiarism tools to be nominated by the head of the HEI

The chairman of DAIP and IAIP shall not be the same. The tenure of the committee members including chairman shall be three years. The quorum for the meeting shall be 3 out of 4 including chairman.

Powers & Functions of IAIP:

1. IAIP shall consider the recommendations of DAIP.
2. IAIP shall also investigate cases of plagiarism according to this Regulation.
3. IAIP shall follow the principles of natural justice while deciding about allegations of plagiarism.
4. IAIP can review the recommendations of DAIP including penalties with due justification.
5. It shall send the report of investigation and the recommendations on penalties to be imposed to the Head of the HEI within a period of 45 days from the date of receipt of recommendations of DAIP or complaint or initiation of proceedings.
6. The IAIP shall provide a copy of the report to the person against whom enquiry report is submitted.

Penalties under the Regulation

One of the objects of punishment is to deter the offenders. Hence every offence must have punishment. Doctrine of proportionality provides that punishment should commensurate with the offence. It means punishment must be in proportion to gravity of offence. Section 12 provides for penalties in the cases of plagiarism by students pursuing studies at the level of masters and research programs and on a researcher, faculty and staff of the HEI. Punishment shall be imposed only after satisfaction of following conditions,

a. Academic misconduct on the part of the individual has been proved beyond reasonable doubt,
b. When all avenues of appeal have been exhausted, and
c. Individual in question has been provided an opportunity to defend himself or herself in a fair or transparent manner.

Penalties in case of plagiarism in submission of theses and dissertations

IAIP impose penalty considering the severity of the plagiarism and these are-

Level 0: Similarities up to 10% are considered as minor similarities no penalty

Level 1: For similarities above 10% to 40%, student shall be asked to submit a revised script within a stipulated time period not exceeding six months

Level 2: For similarities above 40% to 60% such student shall be debarred from submitting a revised script for a period of one year

Level 3: For similarities above 60% such student's registration for that program shall be cancelled.

Penalty on repeated plagiarism

Such student shall be punished for the punishment of one level higher than the previous level committed by him or her. For example, if a student commits plagiarism of Level 1 at first instance i.e. he has committed plagiarism of 10%-40%, he shall be asked to submit revised script but if he again commits plagiarism of 10%-40%, then he shall be punished for Level 2 and such student shall be debarred from submitting revised script for a period of one year. In case where plagiarism of highest level is committed than the punishment for the same shall be operating.

Penalty where the degree or credit has already been obtained

If plagiarism is proved on the date later than the date of award of degree or credit as the case may be then his or her degree or credit shall be put in abeyance for a period recommended by the IAIP and approved by the head of the institution.

Penalties in case of plagiarism in academic and research publications

1. Level 0: Similarities up to 10% minor similarities no penalty
2. Level 1: Similarities about 10% to 40% shall be asked to withdraw manuscript
3. Level 2: Similarities about 40% to 60%, then following penalties shall be imposed-

a. Withdraw manuscript,
b. Denial of right to one annual increment
c. Not to be allowed to be a supervisor to any new masters and Ph.D. student or scholar for a period of two years.

4. Level 3: For similarities above 60%, following penalties are recommended-

a. To withdraw manuscript,
b. To deny right to two successive annual increments,
c. Refusal to be supervisor to any new masters or Ph.D. student or scholar for a period of three years

Other provisions of the Regulations:

1. Penalty on repeated plagiarism

Person responsible shall be asked to withdraw manuscript and shall be punished for the plagiarism of one level higher than the lower level committed by him or her. In case where plagiarism of highest level is committed then the punishment for the same shall be operative. In case Level 3 offence is repeated there in the disciplinary action including suspension or termination as per service rules shall be taken by the HEI.

2. Penalty in case where the benefit or credit has already been obtained

When benefit or credit has been obtained and plagiarism is proved on later day later, then his or her benefit or credit shall be put in abeyance for a period recommended by IAIP and approved by the head of the institution.

3. HEI shall create a mechanism so as to ensure that each of the paper publication oblique thesis presentation by the student faculty staff of the HEI is checked for plagiarism at the time of forwarding or submission
4. If there is any complaint of plagiarism against the head of an HEI a suitable action in line with these regulations shall be taken by the Controlling Authority of the HEI
5. If there is any complaint of plagiarism against the Head of the department or authority at the institutional level a suitable action in line with these regulations shall be recommended by the IAIP and approved by the Competent Authority.
6. If there is any complaint of plagiarism against any member of DAIP or IAIP such member shall excuse himself or herself from the beating where his or her case is being discussed or investigated.

Conclusions:

Research is searching again and again with a view to reach the ultimate truth that is pure knowledge. However, this process of searching pure knowledge has acquired many impurities in it due to multiple reasons such as monetary benefit, early seniority, etc. Again, rise of ICT has worked as catalyst for plagiarism and accelerated the mushroom growth of research work. This maligned the image of higher education in India and need for curbing plagiarism and controlling the same became need of the day. Keeping in account this, the UGC Regulation of 2018 proves to be supportive.