Plagiarism: A Scenario with Special Reference to India

Abstract

The research paper presents the concept of plagiarism with many other concepts related to it for the broader and better understanding. The paper discusses different forms of plagiarism and provides suggestions to avoid it in academic writing and research for the original and genuine work. It describes that it is requirements to allude plagiarism in a more extensive manner by setting up appropriate system and check. It also discusses about the UGC initiatives in India which may be instrumental in making a moral domain and controlling plagiarism.

Keywords: Property, Intellectual Property, Copyright, Copyright Infringement, Fair Use, Plagiarism.

Introduction

In the early time period, knowledge was limited to some area and was constrained to some territory, more free and liberal than now-a-days. Its non-attributed use, production,reproduction and publicity was not viewed as any burglary, or deceptive act.

With the passage of time, in the mid- 15th century printing press emerges and as a result it increased the knowledge creation and dissemination.

The evolution of printing press provided the opportunity to authors to earn. Writing became a profession and people started to get financial benefit from it .Now the knowledge was based on evidence and was in form of books.Authors became known and they declared their rights as sole proprietors of the knowledge contained their in both for acclaim and monetary advantages. Now it led the concept, that like any physical property, knowledge creation is also an intellectual property and should be protected by well-defined rights. As a result, concept of copyright arised. In the today's era we live in the information society. Information is available in huge amount and accessible easily. It increased the copyright infringement also .Plagiarism is also a form of copyright infringement which has become a menace in the academia especially Higher Education.

Objectives of the Study

1. To study the various aspect of plagiarism ;
2. To describe different forms of plagiarism;
3. To describe the different causes of plagiarism;
4. To suggest some solutions to avoid plagiarism;
5. To describe rescent initiative of Indian Government to prevent plagiarism in academia.

Property

Property is an exclusive control of an individual over some things which have economic value and can be exchange or sold. Property may be tangible which includes the things that can be seen or touched like jewellery, furniture, land etc. On the other hand, it may be intangible which can't be seen or touched like new ideas, literary works, music etc.

Section 2 (c) of the Benami Transaction (Prohibition Act) 1988 defines property as " 'Propert' means property of any kind, whether movable or immovable, tangible or intangible and includes any right or interest in such property".

Intellectual Property

"Intellectual property refers to the intangible property such as patents, copyrights, trademarks and trade dress which belong to a person or a company. To be more specific, it refers to the

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creations of the mind like symbols, inventions, artistic works, literary and images" (WIPO, 1997).

Intellectual property is a form of intangible property which is the creation of human mind (Intellectual) and has both moral and commercial value. Intellectual property covers literary and artistic work and Industrial property. Literary and Artistic work covers expression of ideas, painting, music and other artistic work and these works are protected by copyright. On the other hand, Industrial property covers invention of new product or process and protected by patents, Trademarks, Design etc.

Copyright Law

The 'copyright law' concept was enacted in England in the early eighteenth century. Copyright can be consider as a sub division of Intellectual Property Rights.Its scope varies country to country.

According to Margaret Rouse "Copyright is the ownership of an intellectual property within the limits prescribed by a particular nation's or international law". (Das, 2015).

In India, Section 13 of the Copyright Act defines that "a copyright subsists in an original literary, dramatic, musical or artistic work, cinematograph films, and sound recordings".

In fact, copyright is the legal right that protects intellectual property and provides exclusive rights to the author for his/her original work including literary, dramatic, musical and artistic work for its use, re-production and distribution for a limited time period. Copyright law protects the expression of an idea not the idea itself.

Copyright Infringement

Section 51 of the Copyright Act describes that "a copyright is infringed if a person without an appropriate license does anything that the owner of the copyright has an exclusive right to do".

As per Handbook of Copyright law some of the commonly known acts involving infringement of copyright are as "making infringing copies for sale or hire of selling or letting them for hire; permitting any place for the performance of works in public where such performance constitutes infringement of copyright; distributing infringing copies for the purpose of trade or to such an extent so as to affect prejudicially the interest of the owner of copyright; public exhibition of infringing copies by way of trade; and importation of infringing copies into India".

So,copyright infringement is the utilization or creation of copyright secured material without the consent of the copyright holder.It is a criminal offence. Plagiarism is also one form of copyright infringement but both are not same. If someone use some content from other literary work and publish it without giving appropriate attribution to the original/source author then it is a direct case of both copyright infringement and plagiarism. But if someone, reproduce someone work with full acknowledgement but without the permission of copyright holder then it is totally the case of copyright infringement like unauthorized translation, photocopy etc.

Fair Use Concept

In India, 1957 copyright act exempts some acts from the cover of copyright infringement like 'fair use'. It allows to legally copying small amounts of someone else's work by giving the credit to the author.

Broadly, four factor of fair use are purpose, nature, amount and effect .If the purpose of the work is nonprofit educational instead of commercial, nature of material is factual instead of fictional, unpublished instead of publish,less amount and don't have reverse effect on the potential market or value of copyright work then the work is exempted from the copyright infringement and comes under fair use concept. (Reddy and Aswath, 2016)

However, fair use is a complex mixture of law and ethics and varies case to case. Fair use should be educational, transformational and no loss to copyright holder.

Plagiarism

The word plagiarism comes from the word "plagarius", meaning kidnapper, robber, misleaders, and literary thief.

Plagiarism is a demonstration of extortion. It includes both taking another person's work and lying about it subsequently. It is an unethical practice of utilizing words or thoughts (either intentional or unintentional) of another creator/author or your own past work without appropriate affirmation.

Acc. to New Webster's Encyclopedic dictionary of English language, "Plagiarism is the unauthorized use of language and thoughts of another author and the representation of them as own".

Acc. to Cambridge English Dictionary plagiarism is as "to use another person's ideas and pretend that it is your own."

Oxford Dictionary defines plagiarism as "The practice of someone else's work or ideas passing them as your one's own".

Yale University described it as "use of another's work, words, or ideas without attribution."

Plagiarism defined by the Department of English, University of Middle Georgia State University as "Plagiarism occurs whenever we incorporate the intellectual property of others into our own work without proper acknowledgement of whose words, ideas, or other original material".

When the concept is clarified in a bulletin of the US Office of Research Integrity, it looks misleadingly: "It involves stealing someone else's work and lying about it afterward." (Sox, 2012)

In fact, plagiarism is an academic dishonesty which involves using someone else's work, quote or paraphrase from another paper without giving credit to the original author, propose another author's ideas as it were your own, using minimal or careless paraphrasing or inadequate phraphrasing,failing to cite properly, quoting excessively, may not realize how to coordinate thoughts of others and document properly, unfamiliar with international style of documentation, recycling your old work and submitting it as if it is new, failing to put borrowed language in quotations marks, taking the ideas of other writers and mixing them together.

It is considered as a serious academic misconduct and dishonesty and can bring about exceedingly negative outcomes, for example, paper

withdrawals and loss of creator creditability and reputation

Plagiarism versus Copyright Infringement

"Plagiarism and copyright infringement are not same and can never be really same but both often overlap". (Sengupta, 2015)

Plagiarism is integrity violence but not the copyright violence since it is not distributed anywhere. In fact, 'fair use' exemption support the concept that value addition to a literary work can not consider as plagiarism and justifiable use of someone else is allowed by giving proper acknowledgement to the creator. A case may not be considered copyright infringement because it has followed a fair use protocol, but may still be classed as plagiarism. If a author publishes a article or book in which he used several sentences from someone else's content and didn't attribute the source, then it is both plagiarism and copyright infringement. But if a student fails to properly cite or credit a source in a paper that is submitted to the teacher and shared with no one else, it is just plagiarism.

Someone can plagiarize something that is not copyrighted. For examples, data about real world can't be copyrighted. If a researcher for the research purpose collect the data about the educational and economical status of a community and publishit, even then the researcher don't have copyright on that gathered data as it is about real world. Anyone can use that data. But if someone quote that data without crediting it and creating the impression that he /she collected the data own, then it is plagiarism.

So, copyright infringement occurs when you distribute intellectual property that doesn't belong to you without the original author or owner permission, while plagiarism occurs when you don't properly credit or attribute the source of the idea or words.

In fact, major difference in both is that each plagiarism is not the copyright infringement and every copyright infringement is not the plagiarism.

Causes of Plagiarism

In the academic-scientific world, there are some compelling reasons instead of one or two specific reasons for growing of plagiarism .There are many reasons due to that plagiarism occurs such as cryptomnesia or memory loss, publish or perish syndrome, guide-student nexus and open access.(Satija, 2019)

Some prime reasons for plagiarism are budding researchers, careeradvancement, promotions, annual appraisals evaluation criteria, easy access to information sources, lack of properly acknowledgement, lack of awareness about the research ethics.(Singh, 2019)

The most significant elementimpacting plagiarism includes"promotion, laziness or mismanagement of time, easy access to materials on the Internet, unawareness of rules and regulations and unwitting plagiarizing ". (Dordoy, 2002).

Some other factor causing plagiarism or misconduct in research summarized by Gunsalus and Robinson are "temptation, rationalization, ambition, group and authority pressure, entitlement, deception, incrementalism, embarrassment and stupid system".(Gunsalus & Robinson, 2018).

There are many other reasons for plagiarism like predatory journals which are the breeding ground of plagiarism, language barriers, academic reputation pressure and limitations of similarity detection software.

Inadvertent/unintentional Plagiarism

Most of the student and researcher plagiarize due to lack of good writing skills. According to Well use of source material in writing is "more of an art than we generally realize, full of pitfalls for students…".(Wells, 1993)

It is an unpurposeful act which occurs when someone borrow words or ideas from someone else but not cite them correctly, fail to 'quote' all borrowed exact words, using long quotes without quotation marks, poor paraphrasing and summary.

It results when someone fails to follow proper scholarly procedure for citation due to ignorance of the rules or lack of understanding of paraphrasing or lack of clarity about the parameters of common knowledge. But such unawareness and ignorance is also a form of academic dishonesty.

Intentional Plagiarism

It is the purposeful act in which the person knows that the work has been written largely by someone else. In this, person steals someone else's idea or thoughts and presents them as his/her own. It occurs when there is only re-arranging of sentences and word order or changing a few words or phrases from the original source without proper citation, makingup boguscitation. It involves conscious and pre- mediated deception.

For example, to purchase a pre-written paper, paying someone else to write part or all of a paper for you, to other one's unpublished work without consent and to submit own previously used work as afresh.

"Intentional plagiarism is defined by behavior that falls under the larger category of cheating, where the writer deliberately attempts to pass off work done by someone else as her or his own".(Nelms, 2012)

In fact,intentional plagiarism is a worst activity for academia and research.

How to avoid Plagiarism

To avoid plagiarism simply be honest and give credit where it is due. Plagiarism can be avoid by these steps:-

Education and Training

It can be avoid by educating the students about plagiarism through orientation and training.The students should be educated the right and acknowledged method for referring to source and advantages thereof.

Paraphrase

The best approach is not to copy at all. Summarize, digest and then explain in own words.

Proper acknowledgement

Proper acknowledgement for the source of informationis required even when thereare not directly quoting from the source.

Quoting:

Utilize the quote exactly the manner in which it shows up.

Citing Quotes

Citing a quote can be not quite the same as citing the paraphrased material. It more often includes a page number or a section number if there should be an occurrence of web content.

Referencing

Use standard referencing style to avoid plagiarism.

Develop reading habits

Read original passage with full understanding to develop reading habits.

Time – management

It can be avoid by managing time carefully.

Institutional guidelines

All academic institution should set down punishments for this wrongdoing and need to set out the principles to be trailed by all. Such principlesought to be clarified in a systematic way to all the students.

Similarity Detection Software/Sites

In spite of the considerable number of principles and guidelines, it might be conceivable that some inadvertent plagiarism may happen. To maintain a strategic distance from such circumstance various similarity checking tools commercial as well as open source are available. Mostly these tools provide cloud based services. However, the quality of these tools depends on their subject coverage and these tools just give the similarity percentage which ought to be checked from the first source. Some helpful tools to distinguish literary theft are as under:-

Turnitin

It was designed by students of UC Berkeley and now into one of the most recognizable name in similarity detection tool.

I-Thenticate

It is a well known service offered by plagiarism org., in the field of writing and scholarly research.

Viper

It scans a large database of academic essays and other online sources.

Plagiarism.net

It has a search box just as a product download accessible for windows.

Plagiarism software.net (formerly Duplichecker)

This moderate checker gives clients a chance to search for content and transfer txt document.

Plagiarism Detect

It searches the content at a rate of $.50 per page.

Check for Plagiarism.net

It asserts its permitting expenses, by and large, between 35% to 70% lower than contending administrations.

PlagiarismChecker.com

It can scan content through either google or yahoo services.

University of Maryland Dustball Plagiarism Checker

This framework enables clients to submit whole paper into a search box and charge some membership expenses.

EVE2; Essay verification engine

it is based on subscription charges it is one of the older service since its creation in 2000.

URKUND

It is provided free of cost to various Indian academic institutions by INFLIBNET.

Plagiarism in Indian Scenario

"India is among the top 5 countries in terms of number of papers published. However in terms of contributing original research, same is not applied. In case of citations it is not included in the list of top 10countries. Plagiarism is one of the reasons for poor quality research papers". (Gaur, 2019)

It shows that due to lack of law and strict and clear guidelines for plagiarism causing the low standard research and academic dishonesty.In India, in the absence of law or proper educational guidelines, mostly educational institutions deal with cases of plagiarism individually.

Now the Indian Government took the initiative to maintain standard in the Higher Education.University Grant Commission had comprised a board of specialists to investigate issues of plagiarism and prescribed some institutional component to take out the extent of this hazard in Higher Education system in nation and made it obligatory for all universities to utilize to use anti-plagiarism software to check theses.

Recently, UGC has introduced Promotion of Academic Integrity and prevention of plagiarism in Higher Education Institutions regulations, 2018 to identify and prevent plagiarism in academic writing and research.

As per regulations there will be zero tolerance policy for plagiarism in core areas which includes abstract, summary, hypothesis, observations, results, conclusions and proposals. According to regulations it excludes all references, bibliography, table of content, preface acknowledgement, all similarities of minor nature, all generic terms, laws, standard, images and standard equations from the similarity checks for plagiarism.

In these regulations, three level penalties are proposed for faculty, staff and researchers for non-core areas. These regulation climb down the bar of copied work from existing 30 % to 10% in non- core areas. The plagiarized script by a student may result in cancellation of his/her registration and by a teacher may result stopping his/her annual increments and banning of research supervision and publications for three years in extreme cases.

Conclusion

In fact, legally, plagiarism is a subject matter of copyright infringement law and unfair competition. It not only harms the author's own reputation but also affect the original author's work's credibility and worth. As plagiarism is as an act of intellectual dishonesty the universities have a duty and responsibility to nip in

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the bud and avoid it at any cost. There is a need that all academic institutions should educate the students and faculty about the plagiarism and set down punishments for this crime which will prevent anyone from committing such acts.

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