

Plagiarism and Criminality in India-A Review

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Abstract:

Robbery of intellectual property is called plagiarism. Though different institutes define plagiarism according to their definition, the common notion is using of one author work dishonestly without giving an appropriate reference. The problem of plagiarism is moving more towards the medical education areas. The availability of internet could be the main reason for the increasing plagiarism. Plagiarism is not only an academic offense but also a legal one. Thus, it is always necessary to better know the concept of plagiarism and its implications, as well as the consequences of plagiarism and the punishments. The regulator of the higher education, i.e., UGC (University Grants Commission) is much serious about plagiarism and provided guidelines that to be followed mandatorily by the Universities to check plagiarism in academics.

Date of Submission: 15-07-2020

Date of Acceptance: 31-07-2020

I. Introduction:

The English word "Plagiarism" has been derived from the Latin word "Plagiare" means "to kidnap or abduct."

Plagiarism is defined by different universities differently.

The Oxford Dictionaries define plagiarism as the practice of taking someone else's work or ideas and passing them as one's own For the American Association of University Professors (AAUP), plagiarism is: Taking over the concepts, methods, or written words of another, without acknowledgment and with the intention that they are credited as the work of the deceiver.

Robbery of the intellectual property of one's own by the other person dishonestly without giving a proper reference. Using other work unethically is a crime and should be seriously condemned. In India plagiarism is mainly due to lack of awareness of what it is and its consequences. Unawareness of about plagiarism leads to unfair practices. Plagiarism applies to computer code, to visual information such as diagrams and figures, as well as to artistic expressions such as filmic or theatrical scripts, poetry, and musical compositions. Commonly plagiarism in India is seen in school children where it is unidentified and not punished.

Types of plagiarism:

Famous plagiarism checking tools like Duplichecker and Turnitin classified plagiarism into ten common types before generating the report.

1. **Clone – plagiarism:** Author copies other authors work without changing a single word and claim as his work, also called as **GHOSTWRITING**.
2. **Remix –plagiarism:** Author gathers information from various sources and mixes altogether as a single document and claim as his work, also called as **POTLUCK PAPER**.
3. **Ctrl+C –plagiarism:** A significant portion of the text is copied from the source without any alternation, also called as **PHOTOCOPY**.
4. **Hybrid – plagiarism:** Perfectly cited source documents are copied and arranged as a new document without citation
5. **Find – replace –plagiarism:** Changing the most common keywords and phrases in the copied content and not making many changes in the essential document.
6. **Recycle – plagiarism.** Borrowing from their previous document without proper citation, also called as **SELF-PLAGIARISM**.
7. **Mashup – plagiarism:** when a document is copied from more than one source and all are mixed without any proper citation.
8. **404 Error- Plagiarism:** author creates a document by copying from various sources and prepare a single document with appropriate citation. But if this citation is inaccurate or it leads to non-existing resources, it is called 404 types plagiarism.

9. **Aggregator –plagiarism:** written document includes all the proper citation but does not contain original work.

10. **Re-Tweet –plagiarism:** written document seems to be perfect with properly cited mark, but still the document resembles the original texts structure or wordings.

Consequences of plagiarism:

The author must not only learn how to avoid plagiarism, but also the reasons to avoid it. It is always necessary for the author to be prepared, of the risks subjected when plagiarism is used. The main consequences of plagiarism are penalties that can range from warnings to various forms of legal actions.

Some of the consequences of academic plagiarism:

Student can be asked to redo the task

Student can be considered as a failure

Student can be asked to resubmit the same task within a specified time limit

Academic probation and necessary actions can be taken

Consequences for teachers and researchers plagiarism:

Warning

Public apology

Suspension from activities for a certain period

Dismissal from the activities

Author can be prosecuted

How to avoid plagiarism:

The best method to prevent plagiarism is to cite the used sources. To cite the source, one needs to know the information about the author, when and where the information is provided.

We may choose one of the following methods to incorporate others work into one's work:

Quoting: quotation marks are used around the words and sentences, and the source is cited.

Paraphrasing: To state the source's central idea in one's own words, including change of voice or parts of speech in the sentence.

Summarising: it includes sources of identity and summary of the whole idea of the source.

Some of the Pitfalls of plagiarism:

1. Deteriorating of the educational system
2. New research work cannot be established
3. No new creative works
4. Development in all the sectors will be at a loss
5. Loss of individualization

Laws concerned with plagiarism:

The author is responsible for plagiarism when it is concerned with academic credit. The Publisher is held liable in the case of Copyright infringement.

The section 57 of the Indian Copyright Act, 1957 gives authors the right to claim authorship of their works, among other things.

Section 57 of the Indian Copyright Act, 1957 grants to the authors the "**special right**" to be attributed for their work. It is a moral right and perpetual. The statute recognizes the right to attribution analogous to the reasons not to be plagiarised. Section 63 of the Indian Copyright Act, 1957 considers awards the same punishment for both, i.e., the violation of section 57 and the copyright infringement.

The author who violates the rule is awarded imprisonment that ranges between six months to three years under section 63 of the Act. They have also compensated in monetary terms for the Act of violation (between fifty thousand and two lakh rupees). Section 63 (A) of the same Act specifies an enhanced penalty for second and subsequent convictions.

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