

THE CONUNDRUM OF ACADEMIC PUBLICATION

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Abstract

Academic publications are *sine quo non* for academic professionals. Publishing quality academic publications advances public knowledge and contribute to research and development in society. In higher educational institutions academic publications play a very crucial role for academic professionals, libraries, publishers, students, research scholars and general public. The accreditation and rankings of educational institutions have influenced the whole process of academic publishing greatly. Academic Performance Index in India based on academic publications are taken in to account for appointments and promotions to academic positions and for award of research grants. Academic publications are made for variety of reasons *e.g.* advancement of knowledge, refreshing knowledge, making a research public, grant of patent for an invention, award of degree of doctorate, appreciation of peer, appointments, promotions, and award of research grants. Issue of academic integrity, plagiarism, academic theft is not new to academic world. Open access model publication has open a pandora box of predatory publications. Publication in indexed journals or UGC care listed journals are very jostling experience as the indexed journals are often discontinued without disclosure of reasons to public. Advent of writing and referencing software like OCR software, voice access software, voice to text software, writing to text software, SPPSS, R Software large language model software like Chat GPT, paraphrasing software, grammar correction software, and content creation software has made writing a child's play. Detection of plagiarism due to content creation by software and paraphrasing software, data analysis software has become almost impossible. Empirical academic publication are again marred by the fake web scraping techniques wherein false data are being created to narrate or validate a hypothesis. In these social and technical settings an academic professional feels like being in high sea without rudder and compass. In this paper the author in traversing the issues of academic publications and academic integrity and attempts to raise the questions relating to academic publications.

I Introduction

KNOWLEDGE EMPOWERS people. Knowledge is contained in information often produced in treatises, books, commentaries, articles, research articles *etc.* Establishment of universities and higher educational institutions (HEI) for 'public good' brought the idea of storage and retrieval of knowledge in the form materials kept in libraries. Due to invention of Gutenberg Press printing and circulation of materials became very easy. Research and development, inventiveness and innovation brought the concept of 'prior art' (previous knowledge) and 'state of the art' (new knowledge).

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Prior art works as a keystone for state of the art. Research publications in all streams of knowledge became popular by 17th Century. Various academic streams of knowledge promoted publication of research papers, books and articles. The research publications were a way to communicate and update peer and public in a particular stream of knowledge. Universities and higher educational institutions are known by their quality and quantity of publications. Establishing a profitable publication business became priority for many publication houses. The authors and creators who wrote for these publication houses recommended the subscription of journals containing their research work in the libraries of their universities and institutions. This subscription model of publication became very popular and with the advent of computer and internet virtual writing and publication diluted the physical boundaries. The publication houses enlarged their outreach and due to subscription model any university or institution from any corner of world could access any research article or work by subscribing a digital database containing a number of journals and books. In older times research publications were mostly meant for peer and publishing it was meant for development of particular branch of knowledge. Genuine researches propounding general theories and doctrines were published in reputed journals. Creations of works was a blissful act meant for general progress of mankind.

II Academic publication

Academic publications are backbone of academic institutions. Academic publications need support of business houses so that quality academic publications may be provided to peer and public at affordable prices. The subscription model of publication became popular and easy due to affordability of academic publication. Anyone who is a member of any public library having subscription could access, copy, download and print for self-use and research which amounts as 'fair use' but not for commercial use. Copyright laws worldwide created stringent legal provisions for infringement of works but at the same time allowed fair use of the work. Big publication houses like Harvard University Press, Oxford University Press, Cambridge University Press, Taylor and Francis, Wiley, Hart publications, Springer, Sage, Thomson Reuters started publication on very large scale and its published materials are subscribed by almost all Universities and institutions of world. Initially universities published all academic publications but due to curtail in publication budget in early phase of nineteenth century big publication companies like Reuters, Elsevier, Wiley, Springer, Taylor and Francis like companies were incorporated. These companies made publication in all stream of knowledge. In 2022 academic publication generates 19 billion dollars annually.¹ In 2022 Elsevier made revenue of € 3.26 billion with a profit of € 1.2 billion.² The figures *ipso facto*

1 Available at: <https://wordrated.com/academic-publishers-statistics/> (last visited on Oct.18 2023).

validates the profiteering from publishing and ultimately it is made from universities and academicians.

Publication in science is very profitable as the ‘inventions’ for patentability require publication so these publication houses hold centre stage. Every academician or researcher who has any ‘eureka’ moment in his life publishes the same in research journal to communicate to peer and public. The publication companies published it and made it available to subscribers of their database. The authenticity of any research paper depends on its citation and cross referencing. The computation and data analysis became possible due to advanced computational capabilities. After 2000AD indexing method of citation was launched and an author’s credibility, scholarly output and performance is now counted on his/her h-index, g-index, author impact factor, author level eigenfactor which is shown on Scopus platform. Scholars flaunt their Scopus ID, Vidwan ID, Google Scholar ID, ORCID ID which shows their citation metric.

Education was commercialized and the idea of education changed from being a ‘public good’ to ‘private good’. In United States by Higher Education Act, 1965 government aid was given to students directly and The Bayh-Dole Act, 1980 allowed universities and institutions to get patents for inventions and commercially exploit it. This changed the whole idea of public education.³ Private enterprises, business houses started establishing Universities and educational institutions. The quantity of HEIs requisitioned the need of branding which was fostered by accrediting and ranking agencies. Almost at the same time of introduction of indexing of journals, Quacquarelli Symonds (QS)⁴ ranking, Times Higher Education (THE)⁵ rankings *etc.* were introduced. The rankings of institution is greatly dependent on quality and quantity of publication of academicians serving in the institutions. The accrediting body’s standards are compromised when the number of articles are met but there is no consideration of quality of publication by these bodies.⁶

Education has transformative capabilities. Monopolizing knowledge *vide* copyright legislations goes against the value of nobility which education has. Therefore international community recognized ‘fair use’ and validated the non-commercial

2 Available at: <https://telescope.blog/2023/03/08/the-cost-of-elsevier/> (last visited on Oct.18 2023).

3 Adrianna Kezar and Samantha Bernstein-Sierra, “Commercialization of Higher Education” in T. Bretag (ed.), *Handbook of Academic Integrity*, 323-346(Springer Science+Business Media, Singapore, 2016 329).

4 Available at: <https://www.qs.com/rankings/> (last visited on Oct.18 2023).

5 Available at: <https://www.timeshighereducation.com/world-university-rankings> (last visited on Oct. 18 2023).

6 Alexander McLeod, Arline Savage and Mark G. Simkin, 153 (1) “The Ethics of Predatory Journals” *Journal of Business Ethics*, 121-131 (Nov. 2018), at 129.

academic or research use of research articles and materials. In 1940-50 AD the idea of 'common knowledge' fostered the 'open access'. Certain educational societies and non-profit organization (NPO) started a database wherein a published material could be accessed by paying very nominal fees and sometimes just being a member of such society. Social Science Research Network was started in 1994 with this idea. Public Library of Science (PLOS)⁷ and Public Knowledge Project, 2014 are some of the non-profit open access repositories.⁸ Sci-Hub founded in 2011 by Kazakhstan Computer Programmer, Alexandra Asanovna Elbakyan is also an open access platform which provides access to thousands of journals.⁹ It carries a tagline 'Emancipation and democratization of knowledge'.

In open access, the entities maintaining, open access charge 'article processing charges' (APC) from authors in the name of maintenance of database and availability of same to peer and public. This is often very high and quality of peer review process in these open access journals, is very poor. There is no editorial or peer review oversight and it lacks merit as well.¹⁰ This has resulted in 500% increase to open access journals during 2000-2010. Computer, internet, data storage, capabilities has created a mammoth of open access materials. Directory of Open Access Journal (DOAJ)¹¹ was launched in 2003. Digital Object Identifier (DOI)¹² was launched in 2000 and CrossRef¹³ was launched in 1999. These tools were meant to bring authenticity and credibility to academic publications. Open Access runs on 'Gold Model' where author pays for publication; in 'Platinum Model' he does not pay for publication. In gold model author pays the APC. In platinum access the publication is run by NPO and neither the author nor the reader pays money but they are very less. In Green open access the author uploads post-prints or abstracts on libraries or other web portals and provide the articles on request electronically.¹⁴ One can put up a request for article to be sent personally on email.¹⁵

7 Available at: <https://plos.org/> (last on Aug. 18, 2023).

8 Sarah M. Ward, 'The Rise of Predatory Publishing' 64 (4) *Weed Science* (Oct.-Dec. 2016) 772-778 at 773.

9 Available at: <https://sci-hub.se/> (last visited on Oct. 2023).

10 Thomas K. Grose, 'The Dark Side of "Open Access"' 26 (6) *ASEE Prism* 32-35 (Feb. 2017) at 34.

11 Available at: <https://doaj.org/> (last visited on Nov. 2023).

12 Available at: <https://www.doi.org/> (last visited on Oct. 2023).

13 Available at: <https://www.crossref.org/> (last visited on Nov. 2023).

14 Jeffrey Beall, 'What The Open-Access Movement: Doesn't Want You To Know' 101 (3) *Academe*, "I'll Tell It and Think It and Speak It and Breathe It" *Academe*, (May-June 2015) 37-40 at 38.

15 S. C. Lakhota, 'Predatory Journals And Academic Pollution', 108 (8) *Current Science* 1407-1408 (April 25, 2015) at 1407.

One must not lose sight of matter of fact that Elsevier purchased SSRN in May 2016 and Open Access Network cannot compete with big publishers because economies of scale of oligopolistic journals like Sage, Springer, Wiley-Blackwell, and Elsevier allow them to curate, manage and operate metadata for thousands of journals.¹⁶ The purchase of SSRN shows that profit making publication houses understand the value of open access journals.

The funding process of public and private educational institution are distinct. The public universities often receive funding grants from governments, educational regulators, and alumni grants. The private institutions charge huge fees and thereby sustain and operate. The increase of fees depends of institutional ranking which largely depends on academic publication. Academic institutions are fostering indexed publications of academicians these days to get good institutional rankings which justifies their astronomical tuition fees.¹⁷

Academic writing depends upon good library having the subscription of all prestigious databases. It has been reported that due to less footfall many institutions are curtailing paid subscription. A paper highlights a very grim situation and he observes that Oxford journals subscription might be cancelled and subscription of Elsevier or Springer might be continued without actual survey of need of journals due to kick back to librarian by these private publishers.¹⁸ A lot of cases worldwide have been reported for cutting the subscription of journals due to budget constraints.¹⁹ Often in academic institution in purchase of subscription and materials a lot of corrupt practices are reported due to kick-back involved in the process.

III Technological intervention

Technology has been boon and bane both. It has made creation, storage, retrieval, verification of knowledge easy and at the same time created 'fake' knowledge as well. Due to advent of computer and internet, exploring data, downloading data and reproducing it any form in all possible variations became very easy. Software like 'Microsoft office' are a must for any academician as all academic writings are made on 'Office Word' Software. Voice Access software, voice to text software has made typing

16 Kyle Siler, "Future Challenges and Opportunities in Academic Publishing" 42(1) *The Canadian Journal of Sociology / Cahiers canadiens de sociologie*, 83-114(2017) at 90.

17 Jindal Global Law School charges for BA LLB programme Rs. 8,76,000 per annum and in five year is Rs. 43,80,000 source <https://jgu.edu.in/fee-structure/> but a public institution like Banaras Hindu University charges for the same programme Rs. 7,850/- per annum which in five year is Rs. 39,250/- available at https://bhu.ac.in/Content/Syllabus_Syllabus_2305520230424021756.pdf (last visited on Dec. 18, 2023).

18 Ian Winchester, 'Academic Integrity in the University' 52(3) *The Journal of Educational Thought (JET) / Revue de la Pensée Éducative*, Theme Issue 187-190 (Fall 2019) at 189.

19 *Supra* note 16.

data easy. OCR²⁰ software is used for conversion of printed data to electronic data, digital pen converts written data to electronic data. Grammar correction is possible by software like word and Grammarly.²¹ Paraphrasing became very easy due to software like Quillbot.²² Translation of work became easy due to Google translate. PubMed, Google Scholar, Elicit, Research Rabbit, Connected Papers, LitMaps has made the literature survey on any research hypothesis very easy. Reference management software like Zotero,²³ EndNote²⁴ and Mendeley²⁵ has liberated the authors from the conundrum of citation of works in articles and changing it to OSCOLA, APA, Chicago Manual of Style and Blue Book. Cloud computing²⁶ with the help of One Drive or Google Doc collaborative writing by several authors of different jurisdictions have become possible.

Large Language Model (LLM) software or 'Generative Artificial Intelligence' (GAI) fostered by ChatGPT²⁷ has given a whole new dimension to academic writings. This software within very less time creates an unbelievably good content on any given subject by synchronizing data available on internet in a cogent, coherent and convincing manner. These linguistic software are currently deployed on large scale for academic writings which are often published at open access platforms by paying APC. The debate is ongoing about whether ChatGPT can be credited to be an author of an academic research.²⁸ Use of GAI, chat bot, LLM software is very common in science stream these days which has totally disrupted academic writings. GAI has created 'deepfake' knowledge. GAI is being used even for writing scientific articles. AI driven tools are being used for writing summary of articles or sometimes a new article with the help of many articles.²⁹

20 Available at: <https://www.onlineocr.net/> (last visited on Oct. 18, 2023).

21 Available at: <https://demo.quillbot.com/> (last visited on Oct. 18, 2023).

22 Available at: <https://www.zotero.org/> (last visited on Nov. 18, 2023).

23 Available at: <https://endnote.com/> (last visited on Nov. 18, 2023).

24 Available at: <https://www.mendeley.com/> (last visited on Oct. 18, 2023).

25 Available at: <https://cloud.google.com/> (last visited on Nov. 18, 2023).

26 Available at: <https://chat.openai.com/auth/login> (last visited on Aug. 18, 2023).

27 Stokel-Walker C (2023) ChatGPT listed as author on research papers: many scientists disapprove. *Nature* 613:620–621. Available at: <https://doi.org/10.1038/d41586-023-00107-z>; Kingsley D, Conversation T (2023) Major publishers are banning ChatGPT from being listed as an academic author. What's the big deal? In: [phys.org](https://phys.org/news/2023-01-major-publishers-chatgpt-academic-author.html). <https://phys.org/news/2023-01-major-publishers-chatgpt-academic-author.html>; Nature (2023) Tools such as ChatGPT threaten transparent science; here are our ground rules for their use. *Nature* 613:612–612. Available at: <https://doi.org/10.1038/d41586-023-00191-1> (last visited on Oct. 18, 2023).

28 Available at: <https://scisummary.com/> (last visited on Nov. 18, 2023).

29 *Supra* note 14.

The convergence of all these resulted in predatory publication which raised the question of plagiarism, academic integrity and creation of fake knowledge. The situation is very grim in the Asian region and it is alleged that in science 50% of Asian authors have resorted to bogus peer reviewed open access predatory publication which created 'fake science'.³⁰ Genuine authors are commending that paid publications must be listed separately and genuine publications must not be intermingled with predatory publications.³¹ Predatory publication are result of poor research grants, incentive and poor research and development infrastructure.³² One can easily identify a predatory publication as title of the journal is disguised in the name of a reputed journal. The editor is neither an academician nor a researcher. The language and peer-review process is shabby. Scope of journal is very wide. Members of editorial boards are not reputed. The processing time of publication is very fast. The contact details are often missing.³³ Pay to publish journals are used for pseudo recognition, appointment and promotion and are causing academic pollution.³⁴

Empirical data analysis has been made easy via many software tool like data in public domain is imported by many qualitative and quantitative data analysis tool. This process is known as web scraping wherein the researcher extracts data from government database and utilizes it for validation, rejection and narration of hypothesis and variables. The data importation is possible by variety of software like Microsoft Excel, SPSS,³⁵ R *etc.* Qualitative data analysis software like QDA Miner,³⁶ Quirkos, ATLAS, Dedoose, Taguette *etc.* have made qualitative data analysis easy.

The counter-measure for this technological advancement was found in anti-plagiarism software like Compilatio, Copyscape, Docoloc, Duplichecker, Ephorus, OAPS, PlagAware, Plagiarisma, Plagiarism Detect, Plagiarism Finder, PlagScan, PlagTracker, Strike Plagiarism, Turnitin,³⁷ Urkund, Viper, Drillbit *etc.* However the effective anti-

30 Mitchell S. Cappell, "List Predatory Journal Publications Separately From Genuine Scholarly Publications As Standard For CVs" 350 *British Medical Journal*, at 1.

31 Mahesh Devnani and Anil K Gupta, "Predatory Journals Are Only Part of The Problem" 350 *British Medical Journal*, at 1

32 Manthan D. Janodia, 'Identifying Predatory Journals – A Few Simple Steps' 112 (12) *Current Science*, 2361-2362 (25 June 2017).

33 Bhushan Patwardhan and Archana Thakur, "UGC-CARE Initiative To Promote Research Quality, Integrity And Publication Ethics" 117 (6) *Current Science*, (2019) 918- 919 at 918.

34 Available at: <https://www.ibm.com/products/spss-statistics> (last visited on Oct. 18, 2023).

35 Available at: <https://provalisresearch.com/products/qualitative-data-analysis-software/freeware/> last visited on Dec. 10, 2023.

36 Available at :<https://www.turnitin.com/> (last visited on Dec. 18, 2023).

37 Debora Weber-Wulff, "Plagiarism Detection Software: Promises, Pitfalls, and Practices" in T. Bretag (ed.), *Handbook of Academic Integrity*, (Springer Science+Business Media, Singapore, 2016) 625- 638 at 630.

plagiarism software are subscription based and come on huge cost. The other software are not that effective and due to paraphrasing software and generative artificial intelligence, the similarity detection has become almost impossible. The second problem is that even generic words are picked by these software. There are even companies which are harvesting texts in the name of free anti-plagiarism scanning.³⁸

In digital age training students and academicians about academic integrity requires questioning and discussing academic plagiarism, discuss the contexts of plagiarism, providing historical origins and contemporary rationales for citation in academic writing, acknowledging alternate ideas of attributing authors.³⁹

IV Academic integrity and plagiarism

Many cases of academic dishonesty and plagiarism are reported on Indian soil. On 11 October, 2002, seven physicists of Stanford University, three of whom being Nobel laureates accused Kumaun University Vice Chancellor of plagiarism by writing a letter to President of India. Madras University in 2012 rejected a thesis on ground of plagiarism and banned the scholar from re-registering for the programme. An expert panel at Jawaharlal Nehru University observed that at least 28000 researchers could be involved in unethical practices.⁴⁰ Marek Wronski a medical researcher has exposed a large number of European established European authors who have copied works of others.⁴¹ Plagiarism may be of many types patchy plagiarism, self-plagiarism,⁴² source-based plagiarism, accidental plagiarism, para-phrasing plagiarism, mosaic plagiarism, direct plagiarism.

Academic publications being in very shabby conditions the HEI regulator in India, the University Grants Commission (UGC) took some of very bold steps. UGC created 'Shodhganga',⁴³ a digital repository of all research work in 2011. In place of UGC listed journals UGC introduced UGC Consortium for Academic and Research Ethics

38 Ebony Elizabeth Thomas and Kelly Sassi, 'An Ethical Dilemma: Talking about Plagiarism and Academic Integrity in the Digital Age' 100 (6) *The English Journal*, (July 2011) 47-53 at 52.

39 Sachidananda Mohanty, "Academic Integrity Practice: The View from India" in T. Bretag (ed.), *Handbook of Academic Integrity*, (Springer Science+Business Media, Singapore, 2016) 93-98 at 94-95.

40 Available at : <https://www.bmartin.cc/dissent/documents/Wronski/> (last visited on Dec. 10, 2023) ; see also Brian Martin, "Plagiarism, Misrepresentation, and Exploitation by Established Professionals: Power and Tactics" in T. Bretag (ed.), *Handbook of Academic Integrity*, (Springer Science+Business Media, Singapore, 2016) 913-927 at 915.

41 Miguel Roig, "Recycling Our Own Work in the Digital Age", in T. Bretag (ed.), *Handbook of Academic Integrity*, 655-669 (Springer Science+Business Media, Singapore, 2016).

42 Available at:<https://shodhganga.inflibnet.ac.in/> (last visited on Dec. 10, 2023).

43 University Grants Commission (Promotion Of Academic Integrity And Prevention of Plagiarism In Higher Educational Institutions) Regulations, 2018.

(CARE) listed journals in 2018. In 2018 UGC introduced Plagiarism Regulation.⁴⁴ The regulation defines ‘plagiarism’ and creates an ecosystem for punishing plagiarists. The regulation defines in clear term the word plagiarism. “Plagiarism means the practice of taking someone else’s work or idea and passing them as one’s own.”⁴⁵ This is academic theft wherein an academic professional lifts a work of other and present it as his own. The idea of plagiarism is based on copyright wherein ‘fair use’ is allowed. Likewise quoted text, appropriately referenced contents, bibliography, contents, footnotes, references, generic terms, laws, standard symbols, standard equations are exempted from plagiarism.⁴⁶

Different similarity level levels have been identified as Level 0 (up to 10 % similarity), Level 1(up to 10 %-40 % similarity), Level 2(up to 40 %-60% similarity), and Level 3(above 60 % similarity).⁴⁷ In case of student publication and academic publication different punishments are provided. In case of student in level 0 no penalty is inflicted. In level 1, the student shall be asked to submit a revised script within 6 months, in case of level 2, he will be debarred for one year and in level 3, his registration will be cancelled for that programme.

In case of academic publication for level 0 no punishment is provided, in level 1 he will be asked to withdraw the manuscript. In level 2 (i) he will be asked to withdraw manuscript, (ii) he shall be denied a right to one annual increment; (iii) he shall not be allowed to be a supervisor to any new Master’s, M.Phil., Ph.D. Student/scholar for a period of two years. In level 3, he shall be asked to withdraw manuscript;(ii) he shall be denied a right to two successive annual increments; (iii) he shall not be allowed to be a supervisor to any new Master’s, M.Phil., Ph.D. Student/scholar for a period of three years.⁴⁸

In case of repeated plagiarism higher level of punishment is prescribed. In case he has obtained any degree it may be kept in abeyance till any decision is taken. The regulation creates a system for dealing with the issue of plagiarism. It creates a Departmental Academic Integrity Panel (DAIP) having Head of department as chairman and 2

44 Regulation 2(l) of University Grants Commission (Promotion of Academic Integrity And Prevention of Plagiarism In Higher Educational Institutions) Regulations, 2018.

45 Regulation 7 of University Grants Commission (Promotion of Academic Integrity And Prevention of Plagiarism In Higher Educational Institutions) Regulations, 2018.

46 Regulation 8 of University Grants Commission (Promotion of Academic Integrity And Prevention of Plagiarism In Higher Educational Institutions) Regulations, 2018.

47 Regulation 12 of University Grants Commission (Promotion of Academic Integrity And Prevention of Plagiarism In Higher Educational Institutions) Regulations, 2018.

48 Regulation 10 of University Grants Commission (Promotion of Academic Integrity And Prevention of Plagiarism In Higher Educational Institutions) Regulations, 2018.

members nominated by Head one to be external and one to be internal having knowledge of anti-plagiarism tool.⁴⁹

It also creates Institutional Academic Integrity Panel (IAIP) to be headed by Pro-Vice Chancellor/Dean/Senior faculty of HEI and three members nominated by head, two of them will be internal and one will be external and out of two internal one member will behaving knowledge of anti-plagiarism tool.⁵⁰ The DAIP is fact-finding body which will work on principles of natural justice and after due investigation will submit the report to IAIP with recommendation on punishment on plagiarism. Punitive processes are often of little use. It is vital to create a climate of academic integrity based on honour code which can substantially reduce the academic disintegrity.⁵¹

One must be mindful that plagiarism and copyright infringement is not same. The remedies for copyright infringement is provided in India in Copyright Act, 1957 under section 51 which generally means making unauthorized use of copyrighted work in violation of Act. Section 52 of this Act creates 33 exceptions for promotion of 'fair use'. In this fair use, single non-commercial use and fair use for academic research and development is very dominant. Academic plagiarism may be penalized under UGC Plagiarism Regulations, 2018 and it may also attract prosecution in Copyright Act, 1957.

One must be again mindful that writing a research article and getting the same published is very difficult. The Scopus index and CARE list both are dynamic and if journals indexed are not found complying with requisite norms, they are discontinued or delisted. The dynamism of the list creates instability regarding choosing a journal for publication. The discontinued journals are seen in bad perspective which ruins the repute of academicians. Some of journals are indexed only for one or two years. Indian and international journals are charging astronomical publication fees/APC. In India often academic professionals are falling prey to predatory journals which are often discontinued from CARE list or publishing their articles in Clone journals of care list.⁵² Clone journals are publishing article in a cloned printed version and send them a copy of journal which is fake and when they inquire they find the journal to be fake and clone wherein the authors often lose money and time.

49 Regulation 11 of University Grants Commission (Promotion of Academic Integrity And Prevention of Plagiarism In Higher Educational Institutions) Regulations, 2018.

50 Arden Miller, Carol Shoptaugh and Jessica Wooldridge, 'Reasons Not to Cheat, Academic-Integrity Responsibility, and Frequency of Cheating' *The Journal of Experimental Education*, 169-184 (2011) at 182.

51 Available at: <https://ugccare.unipune.ac.in/Apps1/User/Web/CloneJournals> (last visited on Dec. 10, 2023).

52 Available at: <https://beallist.net/> (last visited on Dec. 12, 2023).

Jeffery Beall, Professor and librarian of California State University in 2014 made a list of 'Bogus Peer Reviewed Open Access Predatory Journals' which is now known as Beall's list⁵³. It is being updated till date. He has been also very critical to Directory of Open Access Journal DOAJ. A secondary data analysis of Beall's list wherein authors downloaded 3300 articles from 350 predatory journals and concluded that 51% publication in predatory journals were made by Private and Government colleges, 18% by Private Universities and Institutes, 3 % by Central Universities, 15% by State Universities and 11% by National Institutes.⁵⁴

If we try to analyze the real reason of academic stealing/integrity/theft we find that the peer behaviour is the most important factor as the students often fail to understand the importance of academic integrity and it creates a climate where students learn academic dishonesty from their peers and non-cheaters feel as disadvantaged.⁵⁵ The issue of authenticity of resource material is a crucial question and ignorance of technological advancement often poses a serious challenge in academic writing.⁵⁶

V Issues unresolved

Amidst these settings the academic publications have become a real conundrum. All academic writings these days are suffering very badly. Academic publications of academicians are being preferred in international Scopus indexed publications for institutional repute and rankings. Institutions are even offering monetary help to its faculty for such publication. APC charged by these open access journals is high. Scopus indexed journals author slots are being put on auction. Seven to eight authors are writing articles in humanities which sometimes even does not have qualitative or quantitative empirical analysis and that is published in journals of engineering.

Local or national publication are not given due weightage at the time of appointment and promotion. Indian Citation Index (ICI)⁵⁷ which is run by a private enterprise which provides a digital metrics of citation is having only 1500 journals mapped on it. Local reputed journals which has a sound review policy, immaculate quality control are suffering due to not being indexed on Scopus or being in CARE list. Predatory journals which are Scopus indexed or in CARE list are charging astronomical charges.

53 G. S. Seethapathy, J. U. Santhosh Kumar and A. S. Hareesha, "India's Scientific Publication In Predatory Journals: Need For Regulating Quality Of Indian Science And Education" 111(11) *Current Science* 1759-1764 (Dec. 2016) at 1761.

54 John Dichtl, "Teaching Integrity" 36 (3) *The History Teacher* 367-373 (May, 2003) at 368.

55 A. Lakshminath and S.P. Singh, "Legal Research - Retrospect and Prospect" *CNLU LJ* (3) 1-12 (2013) at 11.

56 Available at: <https://www.indiancitationindex.com/> last visited on Dec. 10, 2023.

57 S. C. Lakhota, "Predatory journals and academic pollution" 108 (8) *Current Science* 1407-1408 (2015) at 1408.

Citation is also problematic. A keen researcher shows a lot of citations. This ‘cite while you write’ approach a lot of citations of unauthentic work and in the process legitimizes it which causes academic pollution.⁵⁸

Another problem is ‘impact factor’. Impact factor was designed by Eugene Garfield in 1975 which is a scientometric index. The impact factor is now calculated by an entity ‘Clarivate’ which was formed in 2016 which calculates impact factor of journals indexed on ‘web of science’ (WOS). In India UGC Regulations, 2018⁵⁹ provides higher Academic Performance Index (API) point for publication having higher impact factor e.g. a publication having an impact factor more than 10 will have 35 points and normally a publication carrying an impact factor up to 1 will have 10 marks. In India, there are many peer-reviewed and listed journals and that too without being indexed on any Indian or international index are arbitrarily providing higher impact factors to their journals and authors having publication in such journals are claiming higher points which often is ignored by Internal Quality Assurance Cell (IQAC) of HEIs in the process of screening and appointments and appointments of academic professionals.

Nowadays many private entities are running many businesses which do the work of publication. These business entities are running the publication as profit oriented business.⁶⁰ The paid publication of books with ISBN number and journals with ISSN number is very common. The journal displays big names in their advisory and editorial boards. It brags about very strict or double and blind peer review which often is not there and in the name of publication charges, take very high amount of money. An academician receives hundreds of soliciting mails and messages for publications in CARE or Scopus indexed journals in a day.

Academic institutions are suffering with the flood of plagiarism in the case of assignments, projects, written assessments in under graduate or post graduate programmes. Students are exchanging, lifting assignments from students of other institutions. Many local sellers have created their own repository of written assignment and they are selling the assignments *etc.* Many academic institution have issued handbook for students on academic integrity.⁶¹ Peer to peer file sharing platform are also contributing a lot.⁶² There are some open public platform as well like Creative

58 UGC Regulations On Minimum Qualifications For Appointment Of Teachers And Other Academic Staff In Universities And Colleges And Measures For The Maintenance Of Standards In Higher Education, 2018

59 Available at: <https://quaderns.org/>; <https://www.rjpublication.com/>; <http://www.tjprc.org/ugc-approved-journals> last visited on Dec 10, 2023.

60 ‘Academic Integrity at MIT A Handbook for Students’ available at: <https://integrity.mit.edu/sites/default/files/images/AcademicIntegrityHandbook2020-color.pdf> last visited on Dec 10, 2023.

61 Available at: <http://www.pro.uploadpa.com/>; <http://wenku.baidu.com> (last visited on Dec. 12, 2023).

62 Available at: <https://creativecommons.org/education> (last visited on Dec. 12, 2023).

Commons licensing,⁶³ George Lucas's Education Foundation.⁶⁴ These platforms can be used for downloading contents.⁶⁵

In USA, Academic Honor Codes have promoted academic integrity in variety of institutions.⁶⁶ These honor codes are set of guidelines which promote honorable behaviour of students and violation of these attract punishments like sanction and expulsions.

In postgraduate programme writing dissertation is a must. Dissertation ignites the research aptitude in the students and prepares him for doctoral programmes where he has to write a thesis. Nowadays postgraduate students are either purchasing the dissertation from local vendors or they are downloading a submitted thesis uploaded on 'Shodhganga' and after paraphrasing it with some software. They are making cosmetic changes and updating here and there and submitting the same as their own. Anti-plagiarism software is failing to detect any similarity in it and often similarity report made by Inflixbnet service like Urkund comes with 0% similarity. They are also taking help of 'Generative Artificial Intelligence' like chat GPT which makes scanning of plagiarism highly impossible. The students are also resorting to a practice wherein they after downloading a particular work from a repository are translating the work with the help of Google Translate in Hindi or vernacular language and if the same is run on anti-plagiarism software the similarity index is 0.

In doctoral programme one has to write a thesis. In thesis the research scholars resort to use either doctrinal or non-doctrinal/empirical data analysis based on qualitative or quantitative or hybrid method. In choosing topic he is picking up a topic upon which several thesis are submitted on repositories like 'Shodhganga'. They are downloading all such Ph.D. and presenting it like 'Old wine in new bottle.' They are using either materials *verbatim* from works which are not very popular and off the internet being old material not available on internet and the same go undetected in anti-plagiarism tool. The research scholars are also falling prey to many business entities who in the name of 'Ph.D. Thesis Writing Services' are exploiting research scholars in India⁶⁷.

63 Available at: <http://www.edutopia.org/> (last visited on Dec. 12, 2023).

64 Ann M. Rogerson and Giselle Basanta, "Peer-to-Peer File Sharing and Academic Integrity in the Internet Age" in T. Bretag (ed.), *Handbook of Academic Integrity*, 273-285 (Springer Science+Business Media, Singapore, 2016) at 276.

65 Donald McCabe and Gary Pavela, 32(5) "Some Good News about Academic Integrity" *Change* 32-38 (Sep. - Oct., 2000) at 34.

66 Available at: <https://www.thesisindia.net/phd-thesis-writing-services.php>; <https://www.chanakya-research.com/phd/thesis-writing-services>; <https://www.wordsdoctorate.com/services/phd-thesis-writing-services/>; Available at: <http://higssoftware.com/thesis-writing-services.php>; Available at: <https://phdizone.com/phd-services/thesis-writing-services/>; <https://phdwritingassistance.com/>; Available at: <https://www.oxbridgeessays.com/phd-writing-services/> (last visited on Dec. 12, 2023).

67 Paul A. Craig, Elizabeth Federici and Marianne A. Buehler, "Instructing Students in Academic Integrity" 40 (2) *Journal of College Science Teaching* 50-55 (Nov./Dec. 2010) at 51.

They are charging lakhs of rupees from them. On higher price custom written papers and thesis which is almost undetectable can be availed.⁶⁸

A research scholar is also required to publish few papers during residency of Ph.D. programme. Supervisors are often forcing the research scholars to publish research article with them as co-author.⁶⁹ Academicians who are supervisors are happy to be lead authors as they are getting free publications which help them to score API and often publisher publish these work coming from reputed academicians.

In academic writing the academicians writing articles or research papers are using all technologically advanced software tools to write articles, books and other materials which goes undetected in anti-plagiarism tool. One must be mindful that in a public university the 'Library-in-charge' is generally authorized to scan a written academic work on anti-plagiarism tool and he can authoritatively decide on exemption being part of 'common knowledge' or coming in general exemption allowed in UGC Plagiarism Regulation.

In India issue of plagiarism is bringing all new political colour in academic life. Wherein academic rivalry is posing threats to established academicians. The repute and image of a genuine writer can be tarnished at any moment by raising the issue of plagiarism and often these issues are tossed in air when the academician is offered coveted academic positions. Most of the universities and institutions do not have policy for academic integrity. DAIP and IAIP of UGC Regulations, 2018 are formed casually case to case basis often to harass and exploit academicians. The institutions fail to train academicians about academic integrity and plagiarism. The universities and HEIs in India do not have any anti-plagiarism or academic integrity policy and we often do not have any honor code or handbook on academic integrity for students or academicians. Institutional policies containing procedural safeguards and dos and don'ts about academic integrity can address the issues of academic dishonesty.⁷⁰ The universities and HEIs lack proper grievance redressal mechanism and any complaint of junior faculty member is often termed as based on unsubstantiated proofs and plagiarist is given a verbal warning only.⁷¹ These regulations often become tool of exploitation and are used as tool of personal vendetta against certain academicians.

68 Karen Bennett, "The geopolitics of academic plagiarism" in Margaret Cargill and Sally Burgess(ed.) *Publishing Research in English as an Additional Language: Practices, Pathways and Potentials* (University of Adelaide Press, Adelaide South Australia, 2017) at 216.

69 Edward J. Saunders, 'Confronting Academic Dishonesty' 29 (2) *Journal of Social Work Education* 224-231 (Spring/Summer 1993) at 230.

70 Brian Marti, 'Plagiarism, Misrepresentation, and Exploitation by Established Professionals: Power and Tactics'in T. Bretag (ed.), *Handbook of Academic Integrity*, 913-927 (Springer Science+Business Media, Singapore, 2016) at 923.

71 Grant Eckstein, 'Perspectives on Plagiarism' 23(2) *Writing on the Edge*, 99-104 (Spring 2013) at 101.

In Indian academic institutions academic writings in humanities and even in science has been mostly ‘patchy writing’ wherein author beautiful stitches and darns various paragraphs of various works in a lucid manner. This inherent training in writing has created inherent vice in academic writing and we can see that boxed, symmetrical writing results in similar or same academic publication which often lacks originality. The process of learning and unlearning is very much important for all stakeholders of academic publications. They need to train themselves about academic integrity. Novelty and originality is rare in academic writing but maintaining nobility is a higher value for which an academician should aspire for. The issue of academic integrity has cultural differences as well. The linguistic differences, cultural differences and different value systems complicate source integration and citations differences which often leads to plagiarism.⁷² Students find the whole idea of plagiarism very confusing and link it to mechanical process of citation rather than utilization of previous research of new research.⁷³ Academic integrity in law schools inculcates integrity in prospective lawyers. Academic integrity must be an empowering developmental aspect of law curriculum as legal profession brings social stability.⁷⁴

VI Conclusion

Academic publications are backbone of academic institutions. The academic institutions are plagued with the issue of plagiarism. Technological disruptions has worsened the scenario. The reputed publishers and open access publishers have their own justification. In this whole issue of plagiarism the advancement of knowledge has suffered greatly. The incentive of academic integrity is long-term but today individuals are working with shortsighted vision aspiring for getting coveted positions. The academic theft is creating academic pollution. International and national academic order is creating many safeguards to detect and penalize plagiarist with the help of software. But the whole idea of similarity index now seems farcical due to inventions of different types of software which is making detection of similarity often impossible.

“No Legacy is so rich as honesty.”

-William Shakespeare

72 Lee Adam, “Student Perspectives on Plagiarism” in T. Bretag (ed.), *Handbook of Academic Integrity* 519-535 (Springer Science+Business Media, Singapore, 2016) at 533.

73 Colin James, “Academic Integrity in Legal Education” in T. Bretag (ed.), *Handbook of Academic Integrity*, 695-711 (Springer Science+Business Media, Singapore, 2016) at 707.