

Plagiarism and Conflict of Interest

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Plagiarism : – what it is (Karnataka High Court order dated 21st November, 2012 in *Shri P M Parameshwaramurthy vs State Of Karnataka*)

'Plagiarism' derives from the Latin word *plagiarius* meaning 'kidnapper' or 'abductor'. It is the theft of someone's creativity, ideas or language, something that strikes at the very heart of academic life. It is the form of cheating and is generally regarded as being morally and ethically unacceptable. Plagiarism includes reproducing someone else's work, whether it be a published article, chapter of a book, a paper from a friend or some file, or whatever. Plagiarism also includes the practice of employing or allowing another person to alter or revise the work which a student submits as his/her own, whoever that other person may be.

Universities' definitions of plagiarism

STANFORD UNIVERSITY sees plagiarism as 'use, *without giving reasonable and appropriate credit to or acknowledging* the author or source, of another person's original work', whether such work is made up of code, formulas, ideas, language, research, strategies, writing or other form.

YALE UNIVERSITY views plagiarism as 'the use of another's work, words, or ideas without attribution' which included using a source's language *without quoting*, using information from a source *without attribution* and paraphrasing a source in a form that stays too close to the original.

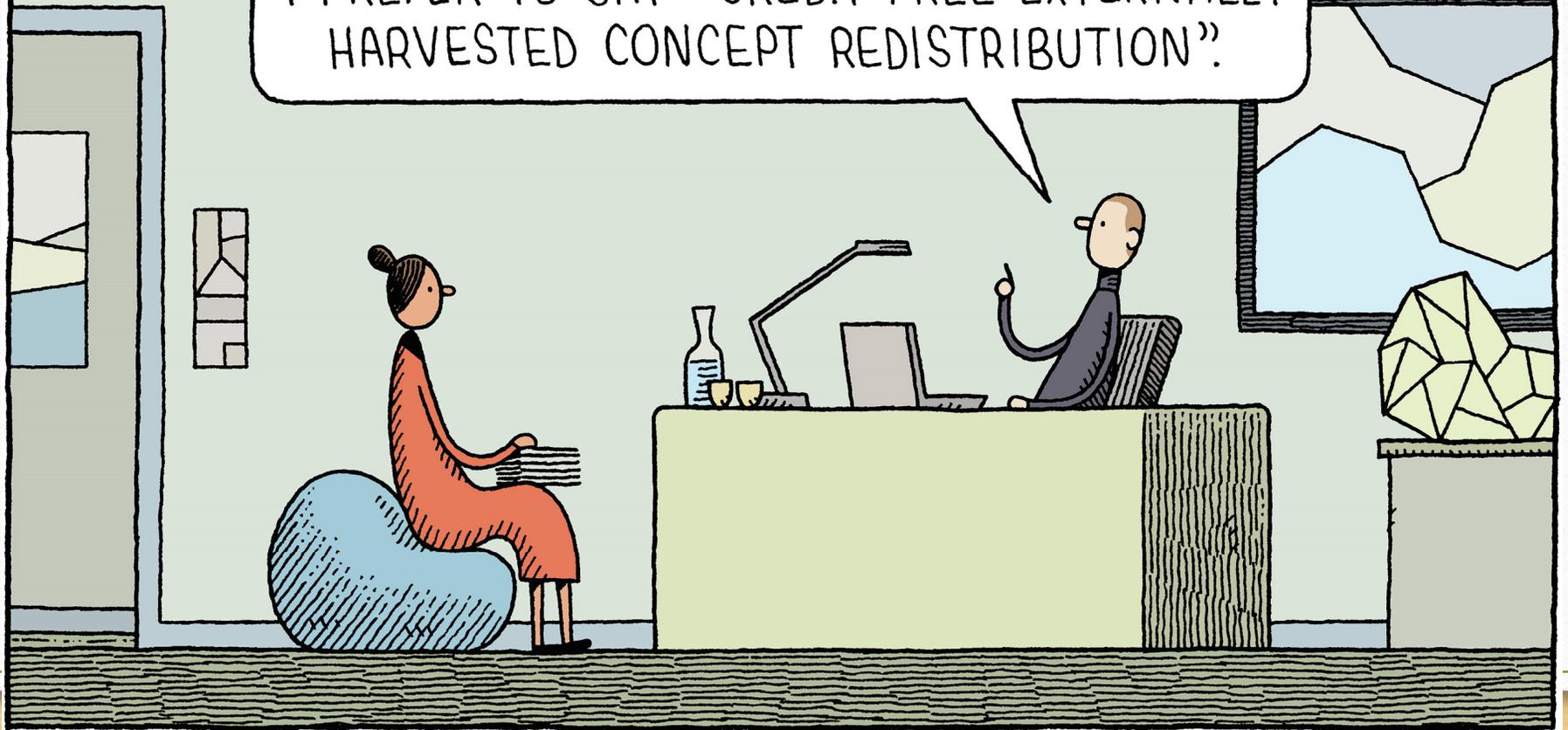
PRINCETON UNIVERSITY perceives plagiarism as the deliberate use of 'someone else's language, ideas, or other original (not common knowledge) material without acknowledging its source.

OXFORD UNIVERSITY characterizes plagiarism as the use of a writer's ideas or phraseology *without giving due credit.*

Common thread across the definitions

- As well known institutions, they reflect a common academic definition of plagiarism.
- *Lack of citation, giving credit or attribution* is considered to be plagiarism.

PLAGIARISM IS SUCH AN UGLY WORD.
I PREFER TO SAY "CREDIT-FREE EXTERNALLY
HARVESTED CONCEPT REDISTRIBUTION".



Why plagiarize ?

- Laziness
- Lack of research skill
- Easy way out : short cuts
- Quick and electronic access to material to copy from
- Lack of moral fibre
- Lack of character

Is plagiarism a crime (criminal offence) ?

Plagiarism is not a crime per se but is disapproved more on the grounds of moral offence

Not part of the Indian Penal Code

Plagiarism and Copyright

- Copyright subsists in original works, vests in the author, and copyright is the exclusive right of the author to use and make reproductions of these works
- Plagiarism would likely amount to infringement of copyright, but not always

What happens on allegations of plagiarism

- Inquiry Committees or Commissions of Inquiry
- Comparisons made
- Findings set out in a report
- Disciplinary action taken

On comparing the contents of Shri M.Venkataramanappa Kannada Ph.D. thesis with the contents of his Guide's two Kannada Books, it was found that Sri M.Venkataramanappa had copied nearly 100 pages word to word from these books and put the same in his thesis containing about 200 pages without giving references or acknowledging the source. The details of word to word copying is given below:

Sl. No.	Pages in the Ph.D Thesis of Shri M. Venkataramanappa	Pages in the Kannada books of Dr. B. C. Mylarappa (6th respondent)
1	1-2	1-2 of Krishi Karmikaru
2	7-11	4-8 of Krishi Karmikaru
3	14-35	9-36 of Krishi Karmikaru
4	36-37	37-39 of Krishi Karmikaru
5	38-46, 47	41-51, 39 of Krishi Karmikaru
6	49-69	103-130 of Grameena Baduku
7	89-112	146-175 of Grameena Baduku
8	188-190	6-9 of Krishi Karmikaru
9	192-200	102-116 of Grameena Baduku
10	207	171-172 of Krishi Karmikaru

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Outcome of the case

The Registrar of the University was removed from his position

Another case

Gujarat High Court decision dt 16th March, 2001

in

Indian Institute Of Management vs Umakant
Shrivastava

"While doing my summer project, I had to do some modelling and data analysis. I had carried my copies of Levin (Statistics for Management), and Baumol (Economic Theory and Operations Analysis) along. From the organisation I was in, I borrowed copies of Wagner (Principles of Operations Research) and Quantitative Techniques for Managerial Decisions by U.K. Srivastava (a CMA Prof. at IIMA), G.V. Shenoy & S.C Sharma. As I was browsing through the books, I came across a most interesting thing.

At several places, the Srivastava, Shenoy, Sharma book had simply lifted stuff from the other three books (Baumol, Levin and Wagner) and no references anywhere in the book. That Baumol, Levin and Wagner had not possibly done it the other day is fairly clear (since the Wagner I had was a 1974 edition). So now what are we going to do about it ?”

After going through the letter and the material annexed with the letter, there was prima facie satisfaction about the evidence of copying and hence an inquiry was set up against the respondent No.1 herein.

With a view to clear the petitioner's name, formal probe by a committee consisting of professors was set up on 9.6.92 in consultation with the respondent No.1. The committee consisted of professor Anil Bhatt (Chairman), Professor Bakul Dholakia, Professor Girija Sharan and Professor Srinivas Rao, all Senior Professors of the Institute and were working with the respondent No.1 in the Institute. Professor Bhatt was at the relevant time Member of Faculty of Development & Evaluation Committee which is one of the Apex Committees of the Institute. He rendered services as Chairman of Public System's Group. Professor Dholakia was at the relevant time Professor of Industrial Economics and served earlier as Chairman, Economics Area of I.I.M.A. He was with the Reserve Bank of India also. Professor Girija Sharan was at the relevant time Chairman, Centre for Management in Agriculture, while Professor Srinivas Rao was Manager, Publications at the Institute and was later on Chairman, Business Policy Area of the I.I.M.A. These persons were familiar with the authorship and copyright conventions.

The Committee met the respondent No.1 and heard him. Thereafter report was submitted to the Director on 17.8.92.

The members of the Committee arrived at a unanimous conclusion that "the identicalness of several portions of SSS spread over several chapters constitutes plagiarism". The Committee found copying without acknowledgment of the source at least at 10 different places including 5 foreign books and some other Indian books (all books were published prior to the publication of the book by the respondent No.1).

Outcome of the case

- Plagiarism established
- Order of the lower court exonerating the respondent was set aside

Consequences of plagiarism

- Loss of credibility
- Failing grade
- Suspension
- Termination
- Expulsion
- Revocation of degree

Conflict of Interest

- A **conflict of interest (COI)** is a situation in which a person or organization is ***involved in multiple interests***, financial or otherwise, and serving one interest could involve working against another.
- Typically, this relates to situations in which the ***personal interest*** of an individual or organization might adversely affect a ***duty owed*** to make decisions for the benefit of a third party.

Source : Wikipedia

Examples of possible COI

- A lawyer representing a client but the lawyer has stake in the outcome of the client's case
- A judge deciding a court case where his daughter-in-law is appearing as an arguing lawyer
- A medical professional treating a patient who is his landlord
- A company director voting on a decision from which his friend can benefit
- An employee of a private enterprise actively involved with the decision-making of a regulator of the sector of which the private enterprise forms a part (this needs discussion)

Some manifestations of COI

- Nepotism (favouring relatives and friends)
- Gifts (above and beyond customary or local festive practices)
- Moonlighting (two or more jobs held at the same time)
- Non-disclosure or suppression of the fact of conflict when the decision comes up for discussion, or otherwise



"You are completely free to carry out whatever research you want, so long as you come to these conclusions."

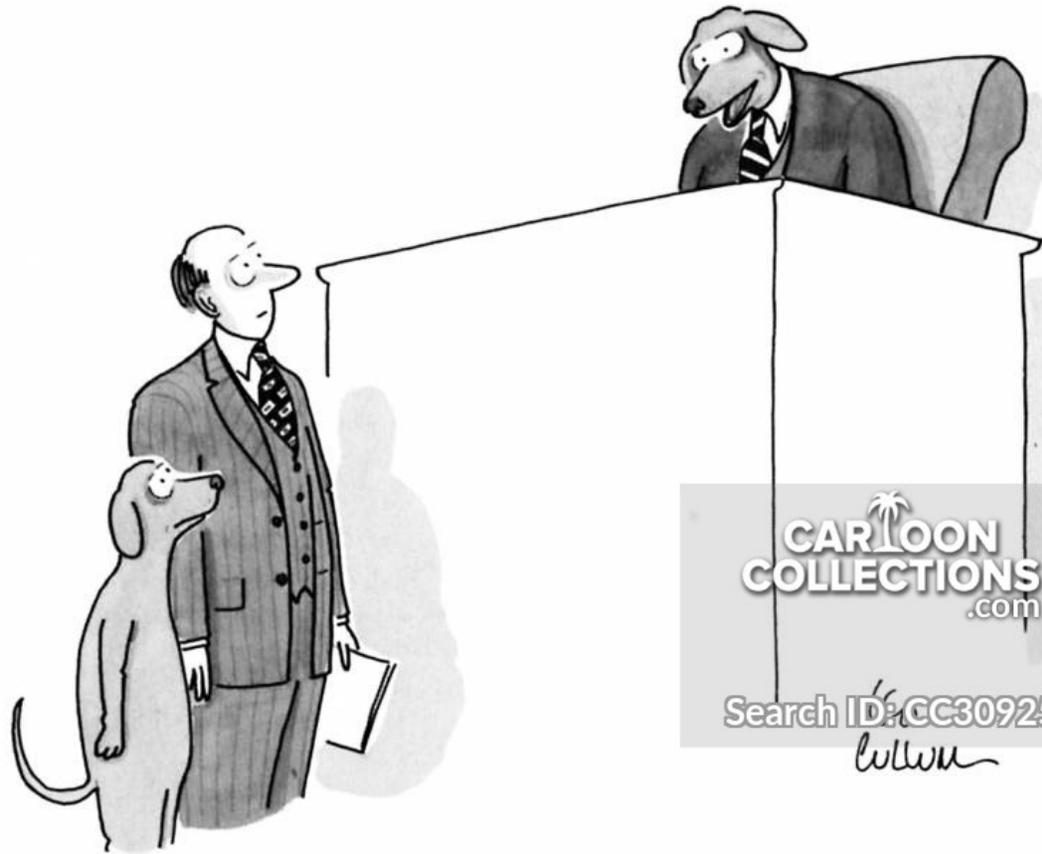
The right thing to do in cases of COI

- Make full disclosure of the facts and the extent of the COI
- Step down (from the position)
- Step away (from the decision-making process)
- Recuse oneself (from the hearing)
- Excuse oneself (from the meeting)

Note : Company law has elaborate provisions on this

Directors' duties under company law

- Annual disclosure of directorships held in other companies
- Bringing up conflict in the first discussion at the Board meeting
- No participation in the discussion
- No voting on the decision
- Leaving the meeting room altogether



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"I'm going to disqualify myself."

Q & A

THANK YOU