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Intellectual Property Rights: The Indian Experience Academic Publication in the Era of Internet Piracy

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ABSTRACT

In recent times, the modus operandi of academic publishing has changed. The traditional process of 'submit-process-review-publication' has shifted to the online medium. While this has been a major leap for academics as information has become easily available; the problem now lies in its accessibility and reliability.

Paid journals are charging ransom-worthy subscription fees for accessing research information published through them and high processing fees are demanded from the authors of the research material. As a result, predatory journals have shown up to feed on the researchers who cannot afford such a facility and have to scavenge the internet for free information.

There is a rise in copyright infringement, pirated information, and violation of academic integrity. Attempts to mitigate the damage caused by such uprising have taken the form of the Open Access Movement; ethical guidelines such as COPE; mechanisms for detection and elimination of fraudulent academic publications, like UGC CARE; creation of databases for reliable open access journals like DOAJ, and many more.

This paper explores how academic publication and research have been affected by the aforementioned factors, the attempts for mitigation, and possible suggestions that can help in protecting academic integrity in the age of piracy.

Keywords: *copyright infringement, predatory journals, pirated information, Open Access Movement, UGC CARE, academic integrity.*

I. INTRODUCTION

The current era is often acknowledged as the 'Age of Information' after the internet became accessible to all. One-click on any device connected to the internet can send the user into the land of limitless knowledge. The list of advantages and disadvantages of the internet's invasion on everyday life is quite long, but one cannot deny that the internet has done all the researchers a favour by globalising information and making it easily available without exhaustion.

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In a research conducted on research scholars of D.S.B Campus of Kumaun University, Nainital, it was shown that 92.30% of the students availed internet facilities for research purposes[3]. Today university students, academic scholars, and researchers treat internet as a resource for getting information which is viable to their academic works. Not only do they find material to support their papers, but most of them publish their papers in online journals.

In fact, the process of publication has shifted online and has become a booming business. The traditional process of publication involves sending journals to the public libraries for future preservation; but in this era of online storage— the publishers publish their journals in their online libraries.

However, in this scenario, man has done what he is famously known to do with a free resource— he capitalized on it by limiting who gets access to it. Many journals constructed paywalls around their chest of knowledge and started charging fees for providing access to their material. This posed an immense barrier in the process of research which gains progress by ensuring continuity through openness.

The environment of online publishing is deteriorating rapidly— authors are asked to pay fee for publication, peer-review boards remain unpaid for their work, and researchers are denied access to work which is essential for their research. In short, the money-growing attitude has ripped off authors from their copyright over their own work, peer-review boards are ill-treated, and the object of research— which is progress through openness— has been completely discarded.

This greed-driven occupation has faced opposition from academic researchers; the Open Access Movement is a blatant example of a civil disobedience on part of the scientific research community where they publish their work on open access platforms to make sure that their work can used for growth and access by all. This initiative has been welcome with warmth across all the major countries and lovingly supported by all. But as Chinese 'Ying-Yang' philosophy stands— there is something good in something bad and something bad in something good. In this scenario, all those the research works are easily accessible but they lack reliability without being peer-reviewed.

II. ACADEMIC INTEGRITY AND ONLINE PUBLICATION

There are five commandments which govern academic integrity— honesty, trust, respect, responsibility and fairness. These five principles protect the sanctity of academic community

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[3] Singh, Gagan & Pant, Rakesh. (2013). USE OF INTERNET FOR RESEARCH AND EDUCATIONAL ACTIVITIES BY RESEARCH SCHOLARS : A STUDY OF D.S.B. CAMPUS OF KUMAUN UNIVERSITY - NAINITAL. International Journal of Engineering and Management Sciences. 4. 193-199.

and support the growth of academic research. And why is it important to protect academic integrity? Because a lack thereof would lead to tainted research and which will then slow development; and such hindrance affects public at large, who not only fund the research as a community but also are at the receiving end of the result of such research.

For instance, one should look at the research for Covid-19 vaccine. If the research and its results had been made accessible only to those who can pay for such information, the vaccine wouldn't have been developed. It would have led to half of the human race being wiped off from the face of this earth.

Online mode of publication has become an origin to a series of problems that violate the academic integrity.

1. Paid publication

As most online publishers follow the 'author pays' model, the quality of research published cannot always be trusted. Secondly, the indexed journals with credible peer-review does exist, they have high processing fee which many researchers cannot afford.

This leads to researchers to either publish their work in an open access platform or look for journals with cheaper fee. In the former setting, the research lacks peer review authentication and in the latter the author often becomes victim to a predatory journal.

2. Predatory journals

Predatory journals not only defraud the authors by assuring them all the publication services (i.e. peer review and editorial board) which they don't really have; their irresponsible publication leads to copyright infringements and false information distribution.

In addition to tampered research, students who are pressurized by university to publish fall prey to these journals either as an author or as a researcher. In the first case, their money is fraudulently taken away with no evidence to actual publication; and in the second case, they use unchecked information in their formulations that defaces their entire research work.

3. Financial restrain

Research outputs and important information are kept behind paywalls which makes it difficult for research to progress. It is unfair to assume that every student or research can afford to pay unrealistic subscription fee; it's even more utopian to believe that every university can provide central subscription to all.

In each of these scenarios, academic integrity is shameless being violated by unregulated and greedy functioning of online publication.

III. CHALLENGES AND LOOPHOLES

With increase in number of online research platforms and decline in the amount of public investment towards libraries, a new array of issues have come forwards.

1. **Paid and Predatory Journals**

Paid journals and predatory journals are two distinct categories that have hindered the growth of research and development in their own unique ways.

In a research, it has been found that even though most journals didn't have high costs— the average of cost came out to be pretty high. The 'author pays' model not only charges authors high processing fees but also charges subscription fees from those who want to access the research. The high processing charges demanded by indexed journals pose a barrier for authors to get published. This leads to research authors becoming victims to the second category of journals i.e. predatory journals.

2. **Limitations of plagiarism checking software**

Plagiarism checker, including popular platforms like Turnitin, are not flawless. These platforms, while being competent to root out duplication, are yet to have features that can help in detecting plagiarism in research work completely. Mentioned below are two major limitations of plagiarism detection softwares:

a. Plagiarism detectors can detect duplication but not contextual copying.

The plagiarism detectors determine plagiarism by analysing a string of words that are used to create a phrase. Hence, if someone has re-phrased or rewritten a line— that is re-arranged the string of words— the software can detect it. But these detectors cannot analyse the context of the words used and the content so generated.

Therefore, if someone was to copy an idea and write it down in an absolutely different pattern— the detectors will not be able to analyze the idea and check if it already exists.

b. False alarm and need for manual assistance

Plagiarism detectors work on a set algorithm; there are instances when these algorithms misinterpret a phrase and raise false alarm. If the publishers do not have human editors to recheck the alarms, a manuscript will get rejected for no real reason.

There is, and will always be, a need for a team of human editors to recheck the work. In fact, a real person can also find out if the context has been copied.

The last limitation is mentioned to throw light on the fact that if a publisher doesn't have a peer-

review board and depends solely on plagiarism detectors— there could be plagiarised works being published and authentic works being rejected due to the fault of a software

3. **Open Access and Lack of Proper Peer-Review Practices**

Open Access (OA) initiative wishes to make information accessible to all. But there are major concerns with respect to authenticity and quality of research being produced. The reason for such content are—

- One of the OA models is self-publishing or volunteer publishing. This model often lacks in the aspect of peer-review which renders the research work questionable with respect to its credibility.

- Another model of OA is 'author pays'— in this arrangement, the authors (or their funding agencies) bear the cost of publishing. It allow more publication at the cost of low quality work.

4. **Administrative Lacuna in Regulation of Academic Journals**

In India, there exist no fixed guidelines to be followed by researchers while publishing their research other or any machinery for regulating the authentication process of open access journals.

UGC CARE list was made with the ambition of countering the rise in predatory journals but it doesn't possess the required efficiency to do so.

IV. PREDATORY JOURNALS AND PROPELLING PIRACY

In the post-Open Access era, the number of publishers skyrocketed, opening an opportunity for the researcher to get their work published with absolute ease. In this pursuit lots of researchers, primarily students, don't realize when they become victims of predatory journals.

A lot of predatory journals demand heavy charges for processing and publication of a research work. In addition to this, some of these entities display fake indexing, extravagant titles, and fake impact factors to lure the authors.

Jeffery Beale from University of Colorado (USA) attempted to list out hundreds of predatory journals but his website was blocked unreasonably; to get a rough idea of how far these publishers have spread their wings, Seethapathi conducted a survey in the year of 2015. *Herein, he picked 3,300 papers from Beale's list and found out that about 11% of the papers were from India's leading government research organisations including ICAR (17%), CSIR (15%), NIT (11%) and 9% from IIT. Furthermore, majority (61%) of these publications are from life*

sciences (37%) and medicine (25%) subjects. Less than half (45%) of the academic authors including faculties/scientists/professors, less than a third (32%) of them are Ph.D. scholars and post-doctoral researchers[4].

<u>Two major reasons behind increase in number of predatory journals are-</u>

1. University publication which prioritizes quantity over quality

2. Ease in obtaining ISSN no.

To understand the first reason let's look into a few facts.

There are close to 1000 Universities running Postgraduate programmes under the aegis of UGC. After 2010 UGC mandated publications as a criterion for evaluation of faculties and further in 2013 another requisite filter was added which was publication of at least 2 papers to receive P.hD[5].

Today obtaining an International Standard Safety Number is as easy as a child's play. The publishers have to apply for it by depositing a fee. Until this stage these journals mimic the character of a legitimate publisher and abide by all the prescribed procedures for registration. By the time authorities recognise them to be predatory; they engulf a large amount of processing fees and deactivate their portals. Later, these journals re-emerge with another ecstatic title and follow the same loop.

The money-thirsty attitude of publishers results in quality and originality of the work being unchecked that ultimately leads to copyright infringements.

V. INTERNATIONAL PERSPECTIVE

This part of the paper shall be a holistic study with regards to the mechanism adopted by renowned journals as well as University publication houses to ensure quality and original content.

1. Mechanism of review adopted by world class Universities

Publications by World class universities such as Harvard, Stanford and Princeton universities are accepted authoritative at because of reliable citations, comprehensive approach of analysis and quality of text. Both "awareness of review procedure" as well as "approach of quality above

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[4] Seethapathy, G.S.; Kumar, J.U.S. & Hareesha, A.S. *India's scientific publication in predatory journals: need for regulating quality of Indian science and education*, 111 Current Science 1759, 1760 (2016).

[5] Bhusan Patwardhan, *Why India is striking back against predatory journals?*, NATURE (Aug. 25, 2022, 12:54 PM) https://www.nature.com/articles/d41586-019-02023-7#:~:text=According%20to%202015%20estimates%2C%20more,the%20articles%20in%20predatory%20publications.

quantity" has a fair share in promotion of academic integrity by these leading Universities. *Most of the peers associated with journals published by these universities are PHD holders but when it comes to the panel, it may include Person with specialized knowledge in the field, people with general knowledge of the field, people well versed with the methodology of the researcher and substance of the script.* After requisite changes are met with, it becomes pertinent for the editor to handover the paper to the panel which reviewed it or else paper mat be turned down if the author hasn't made corrections suggested by the panel[6]. The quality of review is strictly judged by the editors upon the following criteria-

a.   Impartiality in opinion

b.   Practicality of suggestion

c.   His seriousness in evaluating the work (as these are part-time in nature)

d.   Extent of stringency (to avoid baseless criticism and not to disparage the work).

2. Policies for publication adopted by USA and China

SCImago list out countries based on creative research and number of citations from Scopus. According to the SCImago USA and China are the countries with highest numbers of research publications and citations in both technical and non-technical studies. Let's look into the plans and policies adopted by these two countries to propagate academic integrity.

It's undeniable that Chinese research has world-wide implications thus piracy and fraud in Chinese academic eco-system will infect the overall research atmosphere. Although China has a major chunk of contribution in the world of Research and Development the citation rates are substantially low. The reason behind this was academic fraud and mis-information. To carb out these issues Ministry of Science and Technology along with Ministry of Education of China introduced two new policies in 2020. Following are the two important objectives of the policy-

1. *Removal of impact factor as a criteria of appreciation and black listing of journals with vague objectives.*

2. *Peer-review board should be consisting of peers from both outside and inside China. Peer from Inside the country shall evaluate papers concerning local issues and dilemmas while foreign peers shall evaluate papers that include comparative approach*

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6   How   To   Be   a   Peer   Reviewer   -   Harvard   University, https://wcfia.harvard.edu/files/wcfia/files/s104909651200128xa.pdf, (last visited Aug. 28, 2022).

> *or independent views[7].*

If we look into the scenario of Academic Integrity in USA there are prescribed laws that defines "scientific misconduct" and the definition extend to journals concerning Social Sciences as well. As per the definition of "***fabrication, falsification, or plagiarism in proposing, performing or reviewing research or in reporting research results[8]***". This definition is holistic in nature and it encapsulates fraud from both the ends i.e., by author and publisher. Furthermore, The Office of Research Integrity under Department of Health and Human sciences regulate academic researches by providing a model regulation though non-binding in nature to help University Research Repositories to counter Frauds involved in Scientific Research. ORI works in collaboration with the Universities to trace out Fraud in Researches carried out by the Funds of Federal government. Annual report of the same is submitted to the concerned government agencies for which actions such as blockage of funds and termination of service (where it's done by an employee). In addition to this, the Federal Government focused on educating the under-graduates about the problems associated with Academic misconduct by mandating their participation in Responsible conduct of Research (RCR) campaign[9].

From the above study its very-much clear that though China is the second largest contributor of Research Publication, USA is ahead of it both in terms of defining academic misconduct as well as a concrete infrastructure to deal with it. USA not only have an eliminatory mechanism but also a preventive infrastructure which is a need of the hour for India as well.

3. COPE and Academic Integrity

There are numerous organisations that promotes Academic integrity through ethical guidelines however one of the most commonly known institutions amongst international scholars is COPE or "Committee on Publication Ethics". Its members range from Publishers to Journal editors and Universities. Journals such as Harvard Theological Review, Oxford Art Journal, Cambridge Law Journals are members of COPE. Although it's not an adjudicatory body none the less it has substantial impact upon World class Universities as it provides them with model rules to eliminate practices derogatory to academic research. Moreover, COPE organise conferences and annual meets that offers the members with a platform to learn from one another tricks and

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[7] Zhang, L. & Sivertsen, *The new research assessment reform in China and its implementation*, 2(1) SCHOLARLY ASSESSMENT REPORT 1, 4 (2020), https://nifu.brage.unit.no/nifu-xmlui/bitstream/handle/11250/2733873/15-82-1-PB%2b%25283%2529.pdf?sequence=2&isAllowed=y.

[8] Brian C. Martinson, *Scientists behaving badly*, 435 NATURE 737, 738 (2005), https://www.nature.com/articles/435737a.

[9] David B. Resnik & Zubin Master, *Policies and Initiatives Aimed at Addressing Research Misconduct in High-Income Countries*, 10 PLoS Medicine e1001406, 2 (2013), https://journals.plos.org/plosmedicine/article?id=10.1371/journal.pmed.1001406.

tactics to exterminate research misconducts at all levels. Many Indian Journals such as India Review, Journal of Geological society of India etc. are members of COPE.

This crystalline structure starts showing cracks when it comes to implementation. Legislative manifestation of the guidelines is necessary.

4. Emergence of Creative Common

In the year 2001 Creative Common Organisation was formed with an objective of issuing licences to creators, authors or founder of new idea to lend certain rights to any person other than him and reserving specific rights for himself. Content that is certified as a creative common can be accessed by any one and the third party can have the right reflected through the attribute. Attributes are symbols used to explain what all rights are vested and which specific rights are restricted to the user. Where right of the creator is infringed, he may avail any one of the two remedies-

- To claim for copyright infringement, or;
- To claim for breach of contract.

VI. INDIAN ASPIRATIONS OF ACADEMIC INTEGRITY

UGC CARE and its Loopholes

In India the most authoritative publishers are listed under the UGC CARE list. UGC came up with the Consortium for Academic and Research Ethics (CARE) to eradicate the act of predatory publishing or to suppress standalone journals. UGC CARE publications is now a parameter in appointment, promotion and allotment of research work and similar academic activities. Universities specifically JNU, Hyderabad University, Tezpur University have been authorised by UGC to analyse whether a journal is credible to be indexed under the CARE list or not.

Issues

1. Transparency

UGC has three tier selection criteria. The Part-1 of the protocol includes the name, origin, language, other basic details. Part-2 includes primary criteria and Part-3 includes secondary information. UGC claims that few of these criteria includes track record, consistency, quality, peer-review but the complete list has not been made public. This concealment of parameters renders a doubt in the mind of general public with regards to the legitimacy of CARE list.

2. Complicated Application procedure

The applications submitted by the journals goes not to UGC but to the abovementioned Universities which result in a fragmented database. The list which was made by UGC prior to the CARE list was formulated by collecting data from the Universities as a result of which a lot of those journals were found to be predatory ones, so it's basically repeating the same mistake all over again. Hence, online applications can be availed online so that publishers and journals could directly send their applications to UGC which would ensure ease and authenticity.

3. No mandate for ISSN no[10].

The ISSN number is an instrument for tracing the data concerning publication rate and number of budding journals. Though it's not a yardstick for evaluating quality, nonetheless it's a unique identification number for the journals. Listing journals without an ISSN number makes entry of predatory journals much more probable.

VII. COPYRIGHT ACT 1957 AND ACADEMIC PUBLICATION IN INDIA

Copyright Act, 1957 (CA, 1957) is the commanding statute in India which protects original academic works. As per *section 14 (a)* an original creator of literary works hall has the following rights-

a. *In the case **of literary, dramatic and musical work** excluding computer program-*

*to **reproduce the work** in any material form including the storing of it in any medium by electronic means; (ii) **to issue copies of the work to the public** not being copies already in circulation; (iii) **to perform the work in public**, or communicate it to the public; (iv) **to make any cinematograph film or sound recording in respect of the work**; (v) to make any **translation of the work**; (vi) to make **any adaptation of the work**; (vii) to do, in relation to a translation or an adaptation of the work, any of the acts specified in relation to the work in sub-clauses (i) to (vi[11]).*

This right is subject to the "***Doctrine of fair use***", that extends "***limited usage"*** of copyrighted material. However, it's judged on "***purpose of use, nature of work, quantum of work taken and effect of such use on the original"[12].***

Moreover, **section 57 of Copyright Act, 1957** puts forth claims on the basis of which an author may seek remedy against plagiarism of his materials. It includes paraphrasing as well; a copied

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[10] N. Vasantha Raju, *UGC-CARE List: Some Observations*, SSRN Electronic Journal, (2020), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3687663
[11] *Id. at § 14 (a).*
[12] Rajshree Mukherjee, *Fair Use Law in India under Copyright Act,* IPLEADER (may 18, 2022, 7:20 PM), https://blog.ipleaders.in/fair-use-law-india-copyright-act/.

work can't be claimed to be original by mere shifting of words. If it seems to an author that his idea has been stolen (i.e. the counterpart has not credited the author), Section 57 vests a right upon him to claim authorship of such material.

To deter commission of such violations CA, 1957 prescribes a minimum imprisonment along with a fine of 50,000/- Rupees. However, such claims can only be made if the material's copyright has been registered.

VIII. OPEN ACCESS AND ITS LEGAL VALIDITY

Open Access (OA) was initiated in several developed countries with the aim of countering the current trend of publication. As a demonstration of civil disobedience, scientists from biology and medical fields started publishing their work on Open Access channels. This initiative was warmly supported by three popular declarations— Budapest Open Access Initiative [2002], Bethesda Statement on Open Access Publishing [2003], and Berlin Declaration [2003][13]. In fact, India became a part of this initiative with setting up of the first interoperable institutional repository *(known as eprints@IISc)* by the Indian Institute of Science in 2004[14]. Other institutions such as Indian Institute of Management (Kozhikode), Indian Statistical Institute (Bangalore), Indian Institute of Technology (Delhi), and many more joined the OA soon after[15].

The definition as to what 'Open Access' is was given in the Budapest Open Access Initiative where it was defined as making information freely available to public at large on the internet without any monetary, legal, or technical barrier. It was further emphasized that such information can be freely passed, distributed, printed, and used for any other non-commercial, lawful purpose[16].

A suggestion which popped out of the first Nordic Conference on Scholarly Communication (2002) was to create a directory for all the high quality open access journals. This suggestion was then implemented by Lund University which started the Directory of Open Access Journals (DOAJ) in 2003 and maintained it till it was taken over Infrastructure Service for Open Access in 2013. One of the biggest gains from the Open Access Movement is DOAJ— a directory

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[13] Bist, R. and Mohanty, V., n.d. *OPEN ACCESS MOVEMENT AND OPEN ACCESS INITIATIVES IN INDIA*. [online] Ir.inflibnet.ac.in. Available at: <https://ir.inflibnet.ac.in/bitstream/1944/1227/1/236-246.pdf> [Accessed 7 September 2022].

[14] Kuri, R., 2014. *INFORMATION & KNOWLEDGE SHARING THROUGH INSTITUTIONAL REPOSITORY: AN OVERVIEW OF EPRINTS@IISC*. [online] Ijodls.in. Available at: <http://www.ijodls.in/uploads/3/6/0/3/3603729/13444.pdf> [Accessed 7 September 2022].

[15] Loan, F., 2008. *Indian Contribution to Open Access Scholarly Publishing: A Case Study of DOAJ*. [online] Core.ac.uk. Available at: <https://core.ac.uk/download/pdf/16292462.pdf> [Accessed 7 September 2022].

[16] Open Access India. n.d. *Home - Open Access India*. [online] Available at: <https://openaccessindia.org/> [Accessed 7 September 2022].

which is community-curated that indexes journals which are high quality, open access, and peer-reviewed[17].

Apart from DOAJ, the list of popular open access journals includes PubMed (for biological sciences), ERIC, IEEE Xplore, and ScienceDirect. There are journals like Scopus and Web of Science that provide access through institutional subscription[18].

OA can be categorized in two ways:

a. On the basis of publication platform

- There are two subcategories, namely 'gold' and 'green'.

In Gold OA, the access is immediately provided to the final article after publishing. On the other hand in Green OA, a version or the article is released for public access or after the expiry of embargo period. The former is costly but well managed; the latter is cheaper and quicker in delivery.

The authors have the right to choose between commercial or non-commercial user licences when it comes to Gold OA. For Green OA, the license of CC-BY-NC-ND has to be attached with the accepted manuscript while the authors retain their right to reuse[19].

b. On the basis of model[20]

There are basically five kinds of OA models

    i. Paid publication— the authors or their funding agency pay a certain amount to the publisher for getting their research published.

    ii. Funding—the publication is funded by external agencies like institutes, research centres, government, private or public bodies, etc.

    iii. Supplementary revenue generation— in this case, the OA generates fund for publication by allowing ads to be placed on their website or selling other products/services.

    iv. Voluntary publication— authors voluntarily submit their work for publication in OA without demanding anything in return.

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[17] Doaj.org. n.d. *Directory of Open Access Journals*. [online] Available at: <https://doaj.org/> [Accessed 7 September 2022].

[18] Paperpile. n.d. *The best academic research databases [2022 update] - Paperpile*. [online] Available at: <https://paperpile.com/g/academic-research-databases/> [Accessed 7 September 2022].

[19] Elsevier Author Services - Articles. n.d. *Difference between Green and Gold Open Access | Elsevier Author Services*. [online] Available at: <https://scientific-publishing.webshop.elsevier.com/publication-process/difference-between-green-gold-open-access/> [Accessed 7 September 2022].

[20] *supra note 11*

v. Self Publication—authors publish their research work on their own websites and blogs.

One of the main aspect of OA is that both, the publishers and the OA enthusiasts, must acknowledge is— the access is free for scholarly purpose only; the material present on OA cannot be redistributed, reused, or reproduced for commercial profit.

If the ideals of OA seem too good to be true, then such intuition is not completely wrong. Recently, an open access platform— ResearchGate— was sued by Elsevier and American Chemical Society for hosting 50 of their copyrighted content on its platform[21]. Another instance, sci-hub— a popular database for scientific knowledge— has been a constant target for copyright infringement lawsuits.

The efforts against restricted distribution of knowledge are appreciable, but it appears disorderly how copyrights are being openly violated. The copyright laws are being violated by the supporters of OA because the publishers have unethically utilized copyright laws to secure their profit over public interest. In that case, before OA supporters are judged as miscreants in the eyes of law, shouldn't the copyright laws be reconsidered? Shouldn't there be a machinery which allows easy dissemination of knowledge which is consistent with copyright practices?

IX. OBSERVATION

The observation of this paper concludes—

1. There exists no centre or state mandated guidelines to ensure publication of credible research and safety of researchers against predatory journals.

2. The machinery for authenticating and indexing reliable journals in a centralized database is inefficient. No effective system is present for curtailing the growth of predatory journals.

3. No regulation present for mandating and regulating peer-review committees for academic journals.

4. No regulations or guidelines for OA publication.

5. Results of research supported by public funds are being withheld forever by paid journals. Public at large are denied access to information which would benefit them for protecting private interests of publishers.

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[21] Ear, M., (SC), U., (DFCI), D. and (PENN), U., n.d. *ResearchGate dealt a blow in copyright lawsuit*. [online] Nature.com. Available at: <https://www.nature.com/articles/d41586-022-00513-9> [Accessed 7 September 2022].

X. POSSIBLE SOLUTIONS

After examining the aforementioned problems and conducting comparative analysis of the relevant international scenario, there are some feasible and possible remedies which are listed below:

1. Enabling the application of international guidelines, like COPE, through legislative enactments.

2. Improving the function of UGC CARE list for diminishing the number of predatory journals, we can demand for

- Fixing stringent criterions for authentication and indexing academic journals and making such criterions public.

- Simplifying the application process for registration and incorporating direct evaluation process.

- Mandating ISSN number as a pre-requisite for registration.

3. Developing strict peer review system

- For domestic research— peer review committees to be set up at central universities to check the veracity and quality of research. Further, the work is to be cross checked by another peer review committee belonging to another central university.

- For research concerning international issues and comparative studies— peer review committees shall have a peers from foreign universities who have specialization in the concerned field.

4. Maintaining a central database for both, paid and OA journals which would be managed and handles by a qualified body.

- The body shall consist of members belonging to various academic field and an officer for granting central authentication certificate and an authentication number.

- Any journal that wishes to be indexed in this database must provide the following—

    i. Documents that verify the actual name, address, official address, and past records related to publication issues of the owners and the managers of the publication house.

    ii. Documents verifying the names, qualification, and affiliations of named members of peer review and editorial board.

iii. Signed undertaking signifying the oath of the publishers for following rules set up such body with regards to subscription fee. In case of violation of regulation, the publishers shall be banned from the list.

iv. Minimum registration fee for paid journals

- For paid journals, the body shall set a ceiling limit for processing fee and subscription fee which can be charged by them. Journals indexed in this database must adhere to such limit or face a ban.

- For OA journals, the body shall investigate whether the journal has a proper peer review and editorial board.

- This machinery shall be funded from governmental grants. All its income from journal registration shall be utilized for maintaining the database.

- The promotion of the centralized database has to be mandated in all universities i.e. university students should be made aware and directed to publish their work in journals indexed in the database. Any academic publication made in any other list (except for UGC CARE list) shall be deemed to have no value.

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