



Mangalayatan University, Aligarh

Research Ethics Policy

General

Research at the Mangalayatan University, Aligarh is conducted according to the principles of integrity, academic excellence, accountability, inclusiveness and professionalism. All research must follow appropriate ethical, legal and professional frameworks, obligations and standards. The Research Ethics Policy and the Code of Good Research Practice have been drawn up to conform with the principles laid out in other relevant policies, guidelines and codes of conduct, including those of funding bodies such as the Research Advisory Committee and the University to support research integrity.

The Research Ethics Policy describes the principles underpinning the ethical conduct of research and defines the process and principles for the objective and rigorous ethical review of research which falls within its scope.

Code of Good Research Practice

All researchers within the Mangalayatan University, Aligarh have a duty to society, to their profession, to the University and to those funding their research, to conduct their research in the most conscientious and responsible manner possible. The University seeks to foster an environment where good research practice is encouraged and where there are adequate mentoring and supervision at all relevant levels. It is a responsibility of School Heads and Associate Deans of Research to convey clearly the standards for research in their departments and relevant areas, and to ensure that those standards are adhered to as a matter of course.

For the purpose of this policy, research is defined as original investigation undertaken in order to acquire knowledge and understanding.

This would include:

- The invention and generation of ideas, images, performances, artifacts including design, leading to new or substantially improved insights;
- work of direct relevance to the needs of commerce, industry, and to the public and voluntary sectors;
- scholarship such as the creation, development and maintenance of the intellectual infrastructure of subjects and disciplines (e.g., dictionaries, catalogues and research databases);

- the use of existing knowledge and experimentation to develop new or substantially improved materials, devices, products and processes, including design and construction.
- Additionally, the University provides guidelines for good practice in research data management and open access to research data as an integral part of high-quality research.
- This policy applies to all employees, students and visiting researchers of the University, including persons holding honorary University appointments and students on placements, who conduct research within, or on behalf of, the University.
- All members of the University are individually responsible for ensuring that their work is conducted in accordance with the University values and with all policies that form part of the terms and conditions of employment or study. Disregard for with this policy may lead to the failure of assessed work; the suspension of study/research projects, and/or funding from research sponsors; or to the inability to publish.
- Work conducted without the appropriate ethical approval (where required) or in deliberate contravention of the decisions of the Faculty Research Ethics and Integrity (FREIC) Chair would not be covered by the University's indemnity arrangements.
- The University recognises that good practice in research data management and open access to research data are integral to high-quality research. They protect intellectual and financial investment, support reliable verification of results, and enable additional innovative research.

Research Misconduct

Research misconduct constitutes a serious deviation from the accepted practice in proposing, performing, and/or reviewing research and /or in reporting research results. It includes but is not limited to fabrication, falsification, plagiarism or/and deliberate interference in performing or/and reviewing research etc. misconduct that occurs in the research setting but does not affect the integrity of the research setting but does not affect the integrity of the research record, such as misallocation or misuse of funds, sexual harassment and gender discrimination, however will not be covered in this document.

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Briefly, the terminologies that constitute Research Misconduct are explained below.

- Fabrication is making up data or results and recording or reporting them as if they were real.
- Falsification is manipulating research materials, equipment, or processes, or changing or omitting data or results without scientific justification, such that the research is not accurately represented in the research record. It will also include improperly reproducing copyrighted material rather than acquiring the material from an authorized source such as using unlawfully procured/downloaded e-books and e-chapters.
- Plagiarism is the appropriation of another person's ideas, processes, results, words or works without giving appropriate credit to the original source. It will include stealing another person's research ideas, research plan, research observations or research data. It also includes instances where a subset of researchers belonging to a research group make use of the collective data of the research group as part of a submission towards a project proposal or publication while failing to obtain from all others in the research group for making the submission in its final form. It will also include 'self- plagiarism' which means republishing substantive parts of one's own earlier publication as if they were new material, including translations, without duly acknowledging or citing the original. Plagiarism may occur not only in published work, but also in presentations of one's research or else in grant proposals.
- Deliberate Interference is intentionally causing material harm to the research or scholarly work of others. Examples of deliberate interference include damage or intentional or reckless unauthorized use of the research related property of another Research related property of another would include the apparatus, materials, writings hardware or software or any other substances or derivatives used in or produced by the conduct of research. It may also include intentional or reckless/unauthorized use of removal of any other substances or devices used in the conduct of research or produce by the conduct of research of another or disrupting active experiments, or altering deleting products of research, including data, directing or encouraging others to engage in fabrication, falsification or plagiarism or accusing a researcher of misconduct or other.
- Misrepresentation/misrepresenting one's work, academic records, credentials or other academic matters or information, or fabricating academic materials would include, without limitation, forging signatures, forging letters of recommendation, falsifying academic records, fabricating research, data, sources, giving false sources, misrepresenting contributions in group or team efforts etc.

It also encompasses any attempt to misrepresent oneself or provide misleading and false information in an attempt to access another user's computer account.

- Research misconduct however, does not include honest error, honest differences of opinion or honest differences in the design, execution, interpretation or judgment in evaluating research methods or results, or poor research. However, to determine the same, it is imperative that there is proper documentation in place to ascertain first if there is a departure from the accepted practices of research community amounting to misconduct as defined here in above and if yes, whether the same has been committed intentionally, knowingly or recklessly.

Definitions

- Complainant means an individual who makes a complaint of research misconduct by furnishing a formal written complaint.
- Committee on Academic Integrity in Research, also known as CAIR, is the Committee formed by the VC/Pro-VC and will consist of such members as deemed fit by the VC/Pro-VC to preliminary inquire into the veracity of a complaint, as per guidelines of this Policy.
- Disciplinary Authority means the Authority defined under Bye-laws of university act who is competent to impose any of the penalties enumerated in this Policy document if the Respondent is an employee; or the VC/Pro-VC if the Respondent is a student/non- employee.
- Preliminary Investigation, also known as Fact Finding Inquiry, is the process of
- evaluating the veracity of the Complaint, which in all cases will be conducted by the CAIR and such preliminary inquiry will include the following steps:
 - ✓ Study and analysis of the complaint.
 - ✓ Listing the facts that need to be verified and the documents in support thereof.
 - ✓ Listing the documents and the persons who can provide information on the matters and taking their statements and if necessary also requesting the complainant to provide any additional information or evidence.
 - ✓ Studying the information collected so as to decide if there is a basis for a full investigation.
 - ✓ Preparing the Preliminary Investigation Report and submitting it to the Disciplinary Authority along with the documents and statements of witnesses.

- ✓ Research: For the purposes of this Policy, it will mean and include basic, applied and demonstration research in all fields of knowledge.
- Research Record means the record of data or results that constitute the facts resulting scientific or other scholarly inquiry, including, but not limited to, research articles, laboratory records, either physical or electronic, progress reports, abstracts, oral presentations, internal reports, journal articles and articles in conference proceedings.
- Respondent means a person including an Employee, Student or third party against whom the Complainant has made a complaint of Research Misconduct.
- Student means and includes students of the university either working or studying (part- full time) including but not limited to research fellows and exchange students;
- Whistle blower is a person who exposes any kind of information or activity that may be illegal or unethical, or in breach of this Policy, existing within the university that may not be in the public domain.
- Witness is any individual who gives statement to CAIR during preliminary inquiry or the disciplinary inquiry.

Compliance with Laws, Regulations and Policies

The Administrative procedures to be followed by the university pursuant to this Policy are, in subject to the requirements of law. The university will comply with all applicable state government laws, regulations and Policies as they apply to the topic of misconduct.

The Committee on Academic Integrity in Research

The VC/Pro-VC has formed a special Committee on Academic Integrity in Research, (CAIR) for preliminary inquiring into a complaint on receipt of direction of higher authority. If need be, the VC/Pro-VC may take assistance of CAIR to take n whether the complaint so received needs to be inquired into or not. In addition may be vested with the additional responsibility of setting and communication with respect to the principles of academic integrity in the conduct of research at the administrative procedures relating to the review of any allegation of Research Misconduct. The members of CAIR shall have a three year term subject to renewal by Authority and reconstitution at the end of every three years. The safeguards in this policy shall be provided to the members of CAIR, as applicable.

Complaint

- Any individual who discovers or comes across an act of research misconduct may male complaint in writing and submit it to the Director Research as the case may be. The Complaint will be forwarded to the VC/Pro-VC who will decide whether or not to forward the complaint to CAIR for preliminary investigation. This decision should be made as soon as possible, preferably within a week of receipt of the Complaint. A Complaint in the first instance could provide some details on the concerns raised by the Complainant, which must be followed up later to include all relevant details including the names of the relevant parties, names of witnesses, if any, relevant dates, list of documents along with documents, locations, publications and the subject matter of the research misconduct in question
- On receipt of the complaint, and before the Respondent is notified of the complaint by the Disciplinary Authority, CAIR shall take all reasonable and practical steps to appropriately preserve, in a secure manner, all potentially relevant research records and evidence, taking custody of and overseeing the inventory of this material and return all the documents along with the Preliminary Report to the VC/Pro-VC

Inquiry

An Inquiry into a complaint shall consist of three phases:

- Preliminary Inquiry (conducted by CAIR): gathering of preliminary information and fact finding to assess whether such Complaint has substance and if so, whether an inquiry is warranted. The preliminary inquiry should be conducted

as expeditiously as possible and should normally be concluded within 45 days from the date of receipt of the complaint along with all details by CAIR.

- This phase would start when the Inquiry Authority receives the report of preliminary inquiry conducted by CAIR along with recommendations, from the VC/Pro- VC. The procedure to be adopted for inquiring into the complaint is provided as Annexure-I, appended to this Policy.
- Decision and Corrective Action: the formal procedure for reviewing and evaluating the Inquiry Report and taking next suitable steps including furnishing of the Report to the Respondent and reviewing the response of the Respondent and finally imposing penalty.

Safeguards in Dealing with Research Misconduct Guidelines

- Inquiry should be fair, comprehensive and conducted expeditiously, without compromising accuracy, objectivity or thoroughness.
- Confidentiality: To the extent possible, consistent with a fair and thorough investigation and as allowed by law, knowledge about the identity of a complainant respondent and witnesses shall be limited to those persons identified in this Policy and others who need to know and all written materials and information with respect to any proceedings shall be kept confidential.
- Conflicts of Interest: A clash of personal or private interests with professional activities can lead to a potential conflict of interest, in diverse activities such as teaching, research, publication, working on committees, research funding and consultancy. It is necessary to protect actual professional independence, objectivity and commitment and also to avoid an appearance of any impropriety arising from conflict of interest. To promote transparency and enhance credibility, potential conflicts of interests must be disclosed in writing to appropriate authorities, so that a considered decision can be made on a case by case basis.
- Handling Whistle blowers: It is important to protect the rights of whistle blowers during investigation and to ensure that their career prospects are not endangered.
- Transparency: General procedures for dealing with violations of good research practice should be made publicly available and accessible to ensure their transparency and uniformity. Allegations of misconduct should be handled in a consistent and transparent fashion.
- Fairness to Respondent: Persons accused of research misconduct are given full details of the allegation(s) and allowed a fair process for responding to allegations and presenting evidence.

- Taking Appropriate Action: Appropriate action should be taken against persons guilty of misconduct and such action must be proportionate to the severity of the violation.

Safeguards for the Complainant

In addition to any other safeguards provided for in this Policy, the following safeguards shall be provided to a Complainant. In all cases of complaint, the university shall ensure that:

- The Complainant is treated fairly and reasonably.
- All reasonable and practical efforts are made to protect the Complainant from potential or actual retaliation; and diligent efforts are made to protect or restore the position and reputation of the Complainant.

However, in the event that the Inquiry Authority determines that a Complainant has made a Complaint for malicious reasons, or was otherwise not acting in good faith in making such Allegation, the Committee may recommend that appropriate action be taken against such Complainant.

Safeguards for the Respondent

In addition to any other safeguards provided for in this Policy the following safeguards shall be provided to a Respondent

- Respondent is assumed not to have committed Research Misconduct unless and until a finding of such has been made in accordance with this Policy and should be protected from penalty and public knowledge until judged culpable. The Respondent in turn shall cooperate with the administrative procedures described in this Policy including by providing information, research records and evidence to the university representatives referred to herein when so requested.
- The university shall not impede the ability of a Respondent to continue the work, and shall ensure that other corrective or adverse action not be taken, during the Investigation unless the Vice Chancellor determines that there are compelling reasons to suspend the Respondent's work or take such action during all or a portion of such period.
- During a Preliminary Inquiry, the Respondent shall have the right to meet with CAIR and to respond to the Complaint orally and in writing.
- The university shall take all reasonable efforts, if requested and as appropriate, to protect or restore the reputation of any Respondent against whom no finding of Research Misconduct is made.

Safeguards for Witnesses

The university shall ensure that:

- All reasonable and practical efforts are made to protect Witnesses from potential or actual retaliation; and also maintain their confidentiality if such a witness no requests.
- Diligent efforts are made to protect or restore the position and reputation of much Witness.

Penalties

In so far as employees are concerned, penalties enumerated as per university rules will apply. In addition, the Disciplinary Authority is at liberty to also impose one or more of the following penalties.

- In Case Respondent is a Faculty Member or any other Employee, whether permanent, on tenure track, or on contract, the Disciplinary Authority may
 - Issue a written warning
 - Delay career advancement (promotion for example) for a specified time period in the range of 1 to 5 years,
 - Declare the Respondent ineligible for future university awards for a specified time period
 - Inform agencies that have funded the Respondent's research effort
 - Inform relevant National and International Academies

 - Strip the Respondent of all prior university awards or recognitions
 - Make the Respondent ineligible to receive any form of research funding from the university for a specified time period in the range 1 to 5 years,
 - Prohibit the Respondent from taking on any new PhD/UG students for a specified. in the range of 1 to 5 years.
 - Recommend against contract extension or tenure.
 - Terminate Employment
- In Case Respondent is a Post-Doctoral Scholar, the Disciplinary Authority may
 - Issue a written warning

- Strip the Post-Doc of any university awards
 - Declare the Respondent ineligible to be considered for future awards
 - Inform Agencies that Sponsor the Post-Doc
 - Terminate Employment
- In Case Respondent is a Student, the Disciplinary Authority may
 - Issue a written warning >Strip the student of all awards
 - Declare the student ineligible for any awards
 - Inform Agencies that sponsor the student
 - Expel the student

Appeal

Any person aggrieved by the Report-cum-Findings and the consequent action taken by the Disciplinary Authority may file an Appeal to the Competent Authority as per universities Regulations/ Bye-laws, if aggrieved party is an Employee and to the VC/Pro-VC if the aggrieved party is a Student.

Annexure-I

Procedure to be adopted for Inquiry

- On completion of the Preliminary Inquiry, and if as per CAIR's preliminary report there is prima facie evidence to initiate inquiry into the complaint, on receipt of the documents from CAIR, the Disciplinary Authority shall send a copy of the Complaint along with list of witnesses and documents to the Respondent. A copy of the Preliminary Report will also be provided to the Respondent, if the name has been relied on by the Disciplinary Authority to come to a conclusion that an enquiry is warranted. The Disciplinary Authority must also formulate a charge sheet or statement of imputations of misconduct, in case of employees and copies of the same along with list of witnesses and documents must also be sent along with the complaint to the Respondent.
- The Disciplinary Authority must direct the Respondent to file the statement of defence along with the list of documents, names and addresses of witnesses within 10 days from the receipt of the charge sheet.
- If no written statement of defence is submitted by the Respondent, the Disciplinary Authority may itself enquire into the charges.
- If the Respondent in reply admits all the allegations and charges made in the complaint/charge sheet unconditionally, there is no further requirement to hold any

inquiry. In such an event, the Disciplinary Authority may inform the Respondent of the consequences of such admission of guilt (relating to submission of report holding the Respondent guilty of the charges and recommending appropriate punishment) and if the Respondent voluntarily stands by admission of guilt, then, the Disciplinary Authority may proceed to close the proceedings and record its findings.

- If the Respondent denies the allegations/charges, the Disciplinary Authority shall appoint an inquiring authority for holding an inquiry into such charge, in accordance with principles of natural justice. The Disciplinary authority shall forward to the Inquiring authority: a copy of the complaint, charge sheet, the written statement of defence, if any, submitted by the Respondent, statements of witnesses, if any, and Preliminary Report submitted by CAIR.
- The Respondent may be permitted to take the assistance of any employee of the university or a student (if the party/ies are students) but not an outsider. No lawyer or legal trained person shall be permitted to represent the Respondent.
- The Inquiry Authority shall hold the proceedings in the Institute after intimating the Parties and the proceedings shall be recorded in writing.
- Initially, the Inquiry Authority may issue notice to the parties intimating the date of inquiry. Once the proceedings of the inquiry commence, the next date/s of inquiry may be intimated by incorporating the same in the inquiry proceedings itself. Provided that fresh notice may be issued if on the previously notified date no sitting was held. Notices may be issued either personally or through Registered Post A/D or Courier service, if email address or both parties is available, then, notice can also be served through e-mail.
- If the Respondent or Complainant remain absent in spite of due notice and without cause or justification or if they refuse to participate in the inquiry, it is open to the Inquiry Authority to proceed with the inquiry placing the said party *ex parte* and submit report on the basis of evidence/material available on record.
- The Inquiry Authority may grant adjournments to the parties depending on the genuineness and reasonableness of the request keeping in view the fact that inquiry of this nature is required to be completed expeditiously.
- Before commencement of recording evidence, the Inquiry Authority, on the basis of allegations contained in the charge sheet/complaint may frame issues for consideration. Further, additional issues can be framed on the basis of the statement of defence filed by the Respondent. If the Respondent has not filed any statement of defence, the Respondent may be permitted to make an oral statement in respect of the allegations contained in the charge sheet/complaint and on that basis points for determination may also be formulated by the Inquiry Authority.
- As stated above, before commencement of recording evidence, both parties shall file their respective list of documents along with the documents and the list of witnesses, copies of which shall be provided to the other party. Provided that for good and

sufficient reasons if the parties may also be permitted to produce additional documents and examine additional witnesses.

- On the date fixed for the inquiry, the oral and documentary evidence by which the articles of charge are proposed to be proved shall be produced and the witnesses shall be examined by the Parties. The inquiring authority may also put such questions to the witnesses as it thinks fit.
- After the conclusion of the inquiry, the Respondent will be given an opportunity to file written arguments after receipt of which the Inquiry Authority shall prepare a report which shall contain (a) the articles of charge (b) the defence of the Respondent in respect of each article of charge; (c) an assessment of the evidence in respect of each article of charge; (d) the findings on each article of charge and the reasons therefore.
- The Inquiring Authority, shall forward to the disciplinary authority the records of inquiry which shall include: (i) the report prepared by it (ii) the written statement of defence, any, submitted by the Respondent (iii) the oral and documentary evidence produced the course of the inquiry; (iv) written arguments, if any, filed by the Parties during the course of the inquiry;(v) the recommendations made by the inquiring authority in regard to the inquiry.
- Upon receipt of the Inquiry Report, if the Respondent has been held guilty of the charge Disciplinary Authority shall issue a show-cause notice along with a copy of the Enquiry Report to the Respondent asking to show cause as to why it should not be accepted, answerable within 10 days thereof.
- Thereafter the Disciplinary Authority shall proceed to pass final order imposing penalty after taking into consideration the gravity of the allegations/charges proved and the reply, if any, submitted by the Respondent to the Enquiry Report.
- If the Disciplinary Authority decides not to accept the Report it shall record reasons for the same and order for a denovo inquiry or direct continuation of inquiry from the stage of defect, if the inquiry has not been held in accordance with the Rules. A copy of the said decision be made available to the Respondent.

In conducting the Inquiry, therefore the Inquiring Authority shall

- use diligent efforts to ensure that the Inquiry is thorough and sufficiently documented and includes the examination of all research records and evidence relevant to reaching a decision as to whether there is material to support the allegation;
- take reasonable steps to ensure an impartial and unbiased Investigation to the maximum extent practicable, record statements of the Complainant, the Respondent and any other available person who has been reasonably identified as having information regarding any relevant aspects of the Investigation; and pursue diligently all significant issues and leads discovered that are relevant to the Investigation. For the purpose of investigation, it may also take the assistance of other experts.

- The Enquiry should be completed within 30 days of the receipt of Complaint.

Annexure-II

Penalties as per Rule 11 of the CCB/CCA Rules

11. Penalties: The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed on a Government servant, namely

- Minor Penalties
 - a. censure;
 - b. withholding of his promotion
 - c. recovery from his pay of the whole or part of any pecuniary loon caused by him to the Government by negligence or breach of orders;
 - d. (iii a) reduction to lower stage in the time-scale of pay by one stage for a period not exceeding three years, without cumulative effect and not adversely affecting his pension.
 - e. withholding of increments of pay
- Major Penalties
 - f. Save as provided for in clause (iii) (a), reduction to a lower stage in the timescale of pay for a specified period, with further directions as to whether or not the Government servant will ear. increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay;
 - g. reduction to lower time-scale of pay, grade, post or Service for a period to be specified in the order of penalty, which shall be a bar to the promotion of the Government servant during such specified period to the time-scale of pay, grade, post or Service from which he was reduced, with direction as to whether or not, on promotion on the expiry of the said specified period (a) the period of reduction to time-scale of pay, grade, post or service shall operate to postpone future increments of his pay, and if so, to what extent; and (b) the Government servant shall regain his original seniority in the higher time scale of pay, grade, post or service; Central Civil Services (Classification, Control and Appeal) Rules, 1965.
 - h. compulsory retirement;
 - i. removal from service which shall not be a disqualification for future employment under the Government;

- j. Dismissal from service which shall ordinarily be a disqualification for future employment under the Government.

Provided that, in every case in which the charge of possession of disproportionate to known-sources of income or the charge of acceptance from any person of any gratification, other than legal remuneration, as motive of reward for doing or forbearing to do any official act is established, the penalty mentioned in clause (viii) or clause (ix) shall be imposed

Provided further that in any exceptional case and for special reasons resided in writing, any other penalty may be imposed explanation

The following shall not amount to a penalty within the meaning of this rule, namely:

- (i) withholding of increments of pay of a Government servant for his failure to pass any departmental examination in accordance with the rules or orders governing the Service to which he belongs or post which he holds or the terms of his appointment,
- (ii) stoppage of a Government servant at the efficiency bar in the timescale of pay on the ground of his unfitness to cross the bar;
- (iii) non-promotion of a Government servant, whether in a substantive or officiating capacity, after consideration of his case, to a Service, grade or post for promotion to which he is eligible;
- (iv) reversion of a Government servant officiating in a higher Service, grade, or post to a lower Service, grade or post, on the ground that he is considered to be unsuitable for such higher Service, grade or post or on any administrative ground, unconnected with his conduct;
- (v) reversion of a Government servant, appointed on probation to any other Service, grade or post, to his permanent Service, grade or post during or at the end of the period of probation in accordance with the terms of his appointment or the rules and orders governing such probation;

Central Civil Services (Classification, Control and Appeal) Rules, 1965

- (vi) replacement of the services of a Government servant whose services had been borrowed from a State Government or an authority under the control of a State Government, at the disposal of the State Government or the authority from which the services of such Government servant had been borrowed;
- (vii) compulsory retirement of a Government servant in accordance with the provisions relating to his superannuation or retirement;
- (viii) termination of the services (a) of a Government servant appointed on probation, during or at the end of the period of his probation, in accordance with the terms of his appointment or the rules and orders governing such probation;

or (b) of a temporary Government servant in accordance with the provisions of sub-rule (1) Government servant, employed under an agreement, in accordance with the terms of such agreement.

- (ix) Any compensation awarded on the recommendation of the Complaints Committee referred to in the proviso to sub-rule (2) of rule 14 and established in the Department of the Government of India for inquiring into any complaint of sexual harassment within the meaning of rule 3C of the Central Civil Services (Conduct) Rules, 1964.