

IJLT Ethics and Publication Malpractice Statement

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The Indian Journal of Law and Technology [ISSN 0973-0362] (hereinafter “Journal” or “IJLT”) recognizes its ethical duties and other responsibilities and therefore takes its duties of guardianship over all stages of the preparation, submission, peer review, production, publication and promotion process extremely seriously.

Aims and Objectives of the Statement

The journal aims to promote integrity in academic writing and prevent misconduct through this ‘Publication Ethics and Malpractice Statement’ (hereinafter “Statement”). The statement also seeks to encourage best practices and standards of publication ethics for the responsible conduct and reporting of research and other material published in the Indian Journal of Law and Technology.

The objectives sought to be achieved through this statement are:

- (i). To acquaint editors, authors, and others involved in the manuscript preparation, submission, peer review, production and publication process of the journal, with certain general principles to be followed for the journal;
- (ii). To take all reasonable measures against publication malpractice and address all concerns arising thereof, etc.

Editor(s) and the Editorial Board

Editorship

The selection of “Editors”¹ for the journal and the rest of the “Editorial Board”² of the journal shall be as per the selection criteria for membership, for a particular academic year, as approved by the concerned faculty advisor or/ and appropriate authority(ies). The journal shall at all times make publicly available the updated constitution of the members of the editorial board and the Board of Advisors (hereinafter “Advisory Board”)³ on the journal’s official website.

¹ For the purposes of this statement, the term ‘Editors’ shall be deemed to refer to the Editor-in-Chief, Deputy Editor and Associate Editor(s), and in certain cases, even Observer(s) and Line Editor(s).

² For the purposes of this statement, the term ‘Editorial Board’ shall be deemed to refer to and have the same meaning as the term ‘editorial staff’ and *vice versa*. The ‘Editorial Staff’ consists of the Editor-in-Chief, Deputy Editor, Associate Editor(s), Observer(s) and Technical Editor(s), and in certain cases, even Line Editor(s) and Administrative Editor(s), etc.

³ For the purposes of this statement, a distinction is made between the ‘editorial board’ and the ‘advisory board’. The ‘Advisory Board’ typically consists of prominent peers whose judgment is highly regarded within the journal’s field. They advise and support the editorial board.

Duties and Responsibilities of Editor(s) and the Editorial Board

The duties and responsibilities of editor(s) of the journal include but are not limited to, thus:

Fair Play and Editorial Independence

- Editor(s) shall ensure that submissions receive an objective, unbiased and timely evaluation and that the submission be accepted or rejected exclusively on the basis of their academic merit (importance, quality, originality, study's validity, clarity of expression and grammar, structure, style) and an assessment of its relevance to the journal's scope, without regard to any secondary interest(s) or consideration(s) like an author's race, gender, sexual orientation, ethnic origin, citizenship, religious belief, political philosophy or institutional affiliation;
- Editors through their policies, guidelines, statements, etc., shall inform the readers about all steps taken to ensure such fairness and editorial independence.

Publication Decisions

- Editor(s) shall ensure that submissions do not contain anything that infringes upon any copyright, or other right(s) of third parties including plagiarism, and that it does not contain anything slanderous, libelous, obscene, and defamatory or other unlawful matter;
- Editors shall permit the author(s) of the critiqued or/ and criticized material to have the opportunity to respond;
- Editor(s) shall provide a timely in-flow of manuscripts sufficient to fill the journal's announced annual publication schedules.

Confidentiality

All submissions are confidential documents and must be treated as such.

- The editorial board shall ensure that any submission to the journal remains confidential;
- The editorial board has a duty to not disclose any information about any submission to anyone other than the corresponding author, reviewer(s), potential reviewer(s), other editorial adviser(s), and publisher(s) without prior approval from the appropriate authority(ies). The same shall apply equally to guest editors and they shall follow these same procedures;
- The editorial board shall keep confidential any privileged information or idea(s) obtained in the course of professional interactions and not use it for private or/ and personal gain.

Disclosure and Conflicts of Interest

The following shall be read in conjunction with **Duties and Responsibilities of Author(s): Involvement in Disputes Regarding Authorship** and **Duties and Responsibilities of Author(s): Disclosure and Conflicts of Interest**.

- Editor(s) shall ensure that all participants in the manuscript preparation, submission, peer review, production and publication process of the journal, consider their conflicts of interest while fulfilling their roles and disclose all relationships that could be viewed as potential conflicts of interest;
- Editor(s) shall ensure that potential conflicts of interest are disclosed at the earliest stage possible;
- Editor(s) shall recuse oneself/ themselves from editorial decision(s) in which they have or are perceived to have conflicts of interest or relationships that may pose or may be perceived to pose potential conflicts, related to the submission(s) under consideration. Instead, another editor shall handle the submission, if such a potential for bias exists. The same shall apply equally to guest editors and they shall follow these same procedures.

Involvement and Cooperation in Investigations

The following shall be read in conjunction with **Duties and Responsibilities of Author(s): Involvement in Disputes Regarding Authorship** and **Duties and Responsibilities of Author(s): Disclosure and Conflicts of Interest**.

- Editor(s) shall not be responsible for determining who qualifies or does not qualify for authorship nor shall they arbitrate any conflict(s) arising from claims with respect to authorship;
- If an agreement cannot be reached about who qualifies for authorship, the institution(s) where the work was performed should be asked to investigate the claims, and not the editor(s) or the institution(s) affiliated with the journal;
- In case(s) where misconduct has been alleged, with appropriate evidence, or, proven, the editorial board, along with the publisher(s) or/ and the institution(s) where the work was performed, has a duty to take *suo motu* notice;
- the editor(s) along with the publisher(s) or/ and the institution(s) shall accordingly initiate such responsive measure(s) as may be deemed appropriate and reasonable if they suspect misconduct on the basis of appropriate evidence, or, if an allegation/ complaint of misconduct is brought to them, with appropriate evidence, regarding a submission or/ and a published work;

- Every reported act of misconduct shall be looked into, even if it is discovered years after publication;
- If, on investigation, the alleged misconduct is proven to be well-founded, amendment(s) to the affected work in the form of correction(s), clarification(s), expression of concern, apology(ies) or other note(s) as may be relevant will be promptly published in the journal or, in the most severe case, the retraction of the affected work shall be mandated. The aforementioned steps will only be taken if the publication record is seriously affected by the academic accuracy of the published information;
- The editor(s) shall seek an explanation and signed statement of agreement if an author or authors request removal or addition of an author or authors after manuscript submission, acceptance or publication.

Promptness

- The editorial board shall fulfill their roles and respond to queries and complaints in a timely manner;
- The editorial board shall ensure there is a way for complainants to take their complaints further.

Digital Archiving: Access to and Dissemination of Journal Content

The IJLT is a completely open access academic journal. Towards this end:

- Editor(s) shall ensure that the published material is securely and permanently preserved for perpetuity;
- Editors should ensure that all works are published in open access and are freely available to everyone to maximize the impact and benefits of research by prioritizing barrier-free access to research findings, data and methodologies;
- Editor(s) should take all reasonable steps to guarantee that archives of the journal, including the current issue are published online, with full access to all works, at no cost. This may be done through partnering with organizations or/ and maintaining own digital archive.

Author(s)

Duties and Responsibilities of Author(s)

The duties and responsibilities of author(s) include but are not limited to, thus:

Authorship

- The manuscript submitted for publication in the journal (hereinafter “Submission”) should clearly, completely and accurately attribute authorship (hereinafter “Author”) on all those who meet the following criteria:
 - (i). Any substantial intellectual contributions to the conception and execution of the submission and acquisition, analysis, comparison or interpretation of data used in the submission;
 - (ii). Drafting or revising the work for intellectual content;
 - (iii). Agreement to be acknowledged and accountable for all aspects of the submission and/ or work in ensuring that questions related to the accuracy or integrity of any part of the submission and/ or work are appropriately investigated and resolved; and,
 - (iv). Approval of the final version, etc;
- We encourage collaboration and co-authorship. However, the status of authorship should only be reserved for those who deserve acknowledgment and can reasonably be held accountable for all aspects of the submission and/ or work in ensuring that questions related to the accuracy or integrity of any part of the submission and/ or work are appropriately investigated and resolved;
- Contributors who do not meet the above criteria for authorship should not be listed as authors, but they should be acknowledged and their contributions should be specified;
- It is the responsibility of the author corresponding with the journal (hereinafter “Corresponding Author”) to obtain written permission to be acknowledged from all acknowledged individuals;
- If an author or authors request removal or addition of an author or authors after manuscript submission, peer review, acceptance, production or publication, the editor(s) shall seek an explanation and signed statement of agreement for any such request (Also, *see* **Duties and Responsibilities of Editor(s) and the Editorial Board: Disclosure and Conflicts of Interest and Involvement and Cooperation in Investigations**).

Disclosure and Conflicts of Interest

The following shall be read in conjunction with **Duties and Responsibilities of Editor(s) and the Editorial Board: Disclosure and Conflicts of Interest and Involvement and Cooperation in Investigations**.

- All authors shall consider their conflicts of interest and shall disclose all relationships that could be viewed as potential conflicts of interest;

- Potential conflicts of interest should be disclosed at the earliest stage possible;
- All sources of financial support for the project should be disclosed. Readers should be informed about who has funded research and on the role of the funders in the research.

Involvement in Disputes Regarding Authorship

The following shall be read in conjunction with **Duties and Responsibilities of Editor(s) and the Editorial Board: Disclosure and Conflicts of Interest** and **Involvement and Cooperation in Investigations**.

- Editor(s) shall not be responsible for determining who qualifies or does not qualify for authorship nor shall they arbitrate any conflict(s) arising from claims with respect to authorship;
- If an agreement cannot be reached about who qualifies for authorship, the institution(s) where the work was performed should be asked to investigate the claims, and not the editor(s) or the institution(s) affiliated with the journal;
- All authors are required to provide, in writing, their consent to publish their final submission (hereinafter “Work”) in the journal and a declaration that the work does not contain anything that infringe upon any copyright, or other right(s) of third parties including plagiarism, and that it does not contain anything slanderous, libelous, obscene, and defamatory or other unlawful matter;
- Editors shall permit the author(s) of critiqued or/ and criticized material to have the opportunity to respond.

Originality and Plagiarism

- The submission should be original, appropriately referenced in the prescribed manner and all sources of data and third party material should be disclosed;
- IJLT takes plagiarism very seriously. Plagiarism in all its forms constitutes unethical publishing behaviour and is unacceptable. The basis of this position is that the international audience of academics, legal professionals, and lay communities (hereinafter “Readers”) that repose their trust on the journal, deserve to know that what they are reading is original (unless there is a clear statement that the author and editor are intentionally republishing a work). Also, it aims to prevent any inadvertent double-counting of data or inappropriate weighting of the results of a single study that may distort the available evidence.

Acknowledgement of Sources

- Author(s) shall ensure that they have properly acknowledged their sources, and provide relevant citation details for all sources, both published and unpublished, that have influenced their work;
- Information obtained privately (from conversation, correspondence or discussion with third parties) must not be used or reported without explicit, written permission of the author(s) of the work;
- Author(s) should not use information obtained in the course of providing confidential services, such as refereeing manuscripts or grant applications, unless they have obtained the explicit, written permission of the author(s) of the work involved in these services.

Multiple, Duplicate (Redundant) or Concurrent Submission/ Publication

- The author(s) shall ensure that the submission to the journal has not been simultaneously submitted or accepted or previously published elsewhere, either in the present form or in any variation of its present forms, in whole or in part, in the same or different language(s);
- The author(s) shall ensure that if the submission to the journal has been simultaneously submitted or accepted or previously published elsewhere, either in the present form or in any variation of its present form(s), in whole or in part, in the same or different language(s), then the letter of submission should clearly mention so and any permission necessary to publish it in the journal should be obtained and provided to the publisher(s) together with a statement of the original copyright notice/ agreement. The author(s) shall also provide copies and further details of the related material to help the editor(s) decide how to handle the submission.

Conduct of the Author

In case(s) where misconduct has been alleged, with appropriate evidence, or, proven, the editorial board, along with the publisher(s) or/ and the institution(s) where the work was performed, has a duty to take *suo motu* notice. The editor(s) along with the publisher(s) or/ and the institution(s) shall accordingly initiate such responsive measure(s) as may be deemed appropriate and reasonable if they suspect misconduct on the basis of appropriate evidence, or, if an allegation/ complaint of misconduct is brought to them, with appropriate evidence, regarding a submission or/ and a published work. Every reported act of misconduct shall be looked into, even if it is discovered years after publication.

The editors reserve the right to reject a submission or/ and a work at its discretion if an author is found to be disqualified under the Code of Conduct (hereinafter “Code”).⁴ The following shall constitute as violation of the code:

- Any prior criminal convictions under domestic or foreign law;
- Any ongoing criminal proceedings under domestic or foreign law;
- Any ongoing or past proceedings pertaining to sexual harassment;
- Any ongoing or past disciplinary proceedings including those pertaining to ragging or bullying;
- Blacklisting by any other recognised journal due to violation of their publication ethics and malpractice policy, etc.⁵

Data Access and Retention

- Author(s) should retain the raw data connected with a submission, or/ and a published work, for a reasonable time, after publication;
- The author has a responsibility to respond appropriately and cooperate with any requests from the journal for data or additional information should any question about the work arise after publication;
- Author(s) should be available after publication to respond to critique(s) or/ and criticism(s) of the published work.

Peer Review

- Peer review is a system based on trust. Each party-the reviewer, the author, and the publication-relies on the others to operate professionally, ethically, expediently, and confidentially;
- Authors have an obligation to participate in the peer review process and cooperate fully by responding promptly to the editor’s requests for raw data, clarifications, and proof of copyright permissions.

Anonymity

- Anonymity shall be maintained throughout the peer review process and beyond at both ends of the process (i.e., the peer reviewer(s) shall remain unaware of the identity of the author(s) and *vice versa*);

⁴ In such cases, the editors may seek the advisory opinion of the concerned faculty advisor or/ and appropriate authority(ies). The decision of the editors in all such cases shall be final.

⁵ The list is by no means exhaustive but only indicative.

- Any attempt to determine identity(ies) of the peer reviewer(s) or/ and author(s) shall only be done through the editors.

Fundamental Error(s) or Inaccuracy(ies) in Published Work

- When authors discover significant error(s) or inaccuracy(ies) in their own published work, they are obligated to promptly notify the editor(s) or/ and publisher(s) and cooperate with them as and when required;
- The author(s) shall be obligated to promptly correct or retract the work or provide evidence to the editor(s) of the correctness of the work if the editor(s) or publisher(s) learns from a third party that a published work contains significant error(s) or inaccuracy(ies);
- The responsive measures include any form of amendment(s) to the affected work and the prompt publication of correction(s), clarification(s), expression of concern, apology(ies) or other note(s) as may be relevant, to be promptly published in the journal or, in the most severe case, the retraction of the affected work. The aforementioned steps will only be taken if the publication record is seriously affected by the academic accuracy of the published information.

Peer Reviewer(s)

Duties and Responsibilities of Peer Reviewer(s)

Peer review is a system based on trust. Each party-the reviewer, the author, and the publication-relies on the others to operate professionally, ethically, expediently, and confidentially. The duties and responsibilities of peer reviewer(s) include but are not limited to, thus:

Contributions to Editorial Decisions

- Reviewer(s) shall assist the editorial board in making editorial decisions;
- Reviewer(s) shall assist author(s) to improve their submission(s) by conducting reviews objectively, thoroughly, impartially and promptly;
- Reviewer(s) shall give constructive reviews and formulate their observations clearly with supporting arguments and reasonable suggestions;
- Reviewer(s) should maintain a professional tone while giving reviews;
- Reviewer(s) shall bring to the editorial board's notice any suspected misconduct on the basis of appropriate evidence.

Confidentiality

All submissions are confidential documents and must be treated as such.

- Reviewers shall ensure that any submission to the journal remains confidential;
- Reviewers have a duty to not disclose any information about any submission to anyone without prior approval of the appropriate authority(ies). The same applies equally to invited reviewers who decline the review invitation;
- Reviewers shall keep confidential any privileged information or idea(s) obtained in the course of professional interactions and not use it for private or/ and personal gain.

Disclosure and Conflicts of Interest

- All reviewers shall consider their conflicts of interest and shall disclose to editors if they have any conflicts of interest and shall disclose all relationships that could be viewed as potential conflicts of interest;
- Potential conflicts of interest should be disclosed at the earliest stage possible;
- Reviewer(s) shall recuse oneself/ themselves from reviewing the submission(s) in which they have or are perceived to have conflicts of interest that may pose potential conflicts related to the submission(s) under consideration. Instead, another reviewer shall handle the submission if such a potential for bias exists. The same applies equally to invited reviewers who decline the review invitation.

Acknowledgement of Sources

- Reviewer(s) shall help to identify relevant work(s) not been cited by the author(s).

Anonymity

- Anonymity shall be maintained throughout the peer review process and beyond at both ends of the process (i.e., the peer reviewer(s) shall remain unaware of the identity of the author(s) and *vice versa*);
- Any attempt to determine identity(ies) of the peer reviewer(s) or/ and author(s) shall only be done through the editors.

Promptness

- Reviewers shall fulfill their roles and respond to queries and complaints in a timely manner.

Publisher(s)

Duties and Responsibilities of the Publisher(s)

The duties and responsibilities of publisher(s) include but are not limited to, thus:

Prompt and Proper Handling of Unethical Publishing Behaviour

- In case(s) where misconduct has been alleged, with appropriate evidence, or, proven, the publisher(s), in conferment with the editorial board and the institution(s) where the work was performed, has a duty to take *suo motu* notice;
- The publisher(s) in conferment with the editor(s) or/ and the institution(s) shall accordingly initiate such responsive measure(s) as may be deemed appropriate and reasonable if they suspect misconduct on the basis of appropriate evidence, or an allegation/ complaint of misconduct is brought to them, with appropriate evidence, regarding a submission or/ and a published work;
- The responsive measures include any form of amendment(s) to the affected work and the prompt publication of correction(s), clarification(s), expression of concern, apology(ies) or other note(s) as may be relevant, to be promptly published in the journal or, in the most severe case, the retraction of the affected work. The aforementioned steps will only be taken if the publication record is seriously affected by the academic accuracy of the published information;
- The publisher(s), together with the editorial board, shall take all reasonable steps to identify and prevent the publication of work(s) where misconduct has occurred, and under no circumstances knowingly allow or encourage misconduct to take place.

Digital Archiving: Access to and Dissemination of Journal Content

The IJLT is a completely open access academic journal. Towards this end:

- The publisher(s) should ensure that the published material is securely and permanently preserved for perpetuity;
- The publisher(s) should ensure that all works are published in open access and are freely available to everyone to maximize the impact and benefits of research by prioritizing barrier-free access to research findings, data and methodologies;
- The publisher(s) should take all reasonable steps to guarantee that archives of the journal, including the current issue are published online with full access to all works at no cost. This may be done through partnering with organizations or/ and maintaining own digital archive.

Miscellaneous Clause

- The journal reserves the right to reject the work, retract the work and refuse future submissions in case any of the above guidelines are violated.
- In case of any confusion as to whether a violation has taken place, the decision of the editors would be final.
- The editorial board reserves the right to amend the publication ethics and publication malpractice statement at any time without prior intimation.
- The statement is by no means exhaustive and in case a situation that has not been contemplated in the statement arises, the same may be resolved by relying on the general principles and intent of the statement. The decision of the editors, in all such cases, shall be final.
- The editors reserves the right to remove difficulty(ies) in the course of implementation of the statement, in conferment with the concerned faculty advisor or/ and appropriate authority(ies).

Further Information

The journal has its own official website on <<http://ijlt.in/>> with information about the content and scope, members of the editorial board and advisory board, the publishing schedule, the journal guidelines, subscriptions and contact information.

Any queries, or complaints regarding the information provided above or otherwise may be addressed to the *Editor-in-Chief* at ijltedit@gmail.com or ijltedit@nls.ac.in

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