



India's Geographical Indication Landscape

For Prelims: [Geographical Indication \(GI\) Tag](#), [World Trade Organisation \(WTO\)](#), GI Act, 1999

For Mains: Intellectual Property Rights, Protection of Traditional Knowledge

Source: [DTE](#)

Why in News?

India's [Geographical Indication \(GI\) tags](#) journey of over two decades faces challenges, with limited outcomes indicating the **need for reforms in the registration processes**.

What is the Geographical Indication (GI)?

▪ About:

- A geographical indication (GI) is a designation applied to products originating from a specific geographical area, indicating that the qualities or reputation of the products are inherently linked to that particular origin.
- Article 22 (1) of [Trade-Related Aspects of Intellectual Property Rights \(TRIPS\)](#) defines **GIs** as “indications which identify a good as originating in the territory of a member, or a region or locality in that territory, where a given **quality, reputation or other characteristic** of the good is essentially attributable to its geographic origin”.
 - In many EU nations, GI is classified in two basic categories **Protected GI (PGI)** and **Protected Designation of Origin (PDO)**. **India only has the PGI category.**
- This certification is also extended to **non-agricultural products**, such as **handicrafts** based on human skills, materials and resources available in certain areas that make the product unique.
- GI is a powerful tool for **protecting traditional knowledge**, culture and can boost socio-economic development.

▪ Legal Framework and Governance:

- GI is governed under the **Agreement on TRIPS** at the [World Trade Organisation \(WTO\)](#).
- The **Geographical Indications of Goods (Registration and Protection) Act, 1999** seeks to provide for the registration and better protection of geographical indications relating to goods in India.
- [Paris Convention](#) emphasises **protecting industrial property and geographical indications in Articles 1(2) and 10.**

▪ Status of GI Tags Registration:

- Compared to other nations, **India lags in GI registration**. Till December 2023, **Intellectual Property India** received just 1,167 applications, of which **only 547 products have been registered**, as per the GI Registry.
- **Germany leads in GI registrations**, with 15,566 registered products, **followed by China (7,247)**, as per 2020 data with the [World Intellectual Property Organization](#).
- **Globally, wines and spirits comprise 51.8% of registered GIs**, followed by

agricultural products and foodstuffs at 29.9%.

- In **India, handicraft (about 45%) and agriculture (about 30%)** comprise the majority of the GI products.

▪ **Concerns Regarding the GI Tags in India:**

◦ **Concerns with GI Act and Registration Process:**

- The **GI Act, 1999** framed over two decades ago, requires timely amendments to address current challenges.
- **Registration forms and application processing times** need simplification for easier compliance.
 - The current application acceptance ratio is only about 46% in India.
- Lack of **suitable institutional development** hampers effective implementation of GI protection mechanisms.
- Producers often struggle **post-GI registration due to a lack of guidance and support.**

◦ **Ambiguity in Producers' Definition:**

- The lack of clarity in **defining "producers" in the GI Act of 1999** leads to the involvement of intermediaries.
 - Intermediaries benefit from GIs, diluting the intended advantages for genuine producers.

◦ **Disputes at the International Level:**

- Disputes, especially regarding products like [Darjeeling tea](#) and [Basmati rice](#), indicate that GIs receive less attention compared to patents, trademarks, and copyrights.

◦ **Academic Attention:**

- **Limited academic focus on GIs is evident**, with only seven publications from India.
 - A recent surge in publications indicates growing academic interest, with 35 articles published in 2021.
- **European nations**, such as Italy, Spain, and France, lead in GI-related academic publications.

What Can be Done to Realise the Potential of GI-based Products?

- Government initiatives should **incentivize producers at the grassroots level** to boost GI numbers.
 - Laws should **exclude "non-producers" from benefiting**, ensuring direct benefits to genuine producers.
- Technology, skill-building, and **digital literacy among GI stakeholders** are crucial for modernization.
- Government agencies should collaborate with trade associations to organize exhibitions and promote GI-based products through various media.
- Indian **embassies** should actively promote GI-based products to encourage growth in the **foreign market**.
 - Favourable international tariff regimes and special attention to GI products at WTO can boost global presence.
- **Integrating GIs with the [One District One Product scheme](#)** can enhance promotion and market reach.
 - Developing market outlet schemes, especially **rural markets** (gramin haats), can boost GI product visibility.
- Establishing testing laboratories at marketplaces is essential to **ensure consumer faith in the quality of GI products.**
- Aligning startups with GIs and linking their performance with [Sustainable Development Goals \(SDGs\)](#) can contribute to social development.

UPSC Civil Services Examination, Previous Years Questions (PYQs)

Prelims

Q. Which of the following has/have been accorded 'Geographical Indication' status? (2015)

1. Banaras Brocades and Sarees
2. Rajasthani Daal-Bati-Churma
3. Tirupathi Laddu

Select the correct answer using the code given below:

- (a) 1 only
(b) 2 and 3 only
(c) 1 and 3 only
(d) 1, 2 and 3

Ans: (c)

Q. India enacted the Geographical Indications of Goods (Registration and Protection) Act, 1999 in order to comply with the obligations to (2018)

- (a) ILO
(b) IMF
(c) UNCTAD
(d) WTO

Ans: (d)

Mains:

Q. How is the Government of India protecting traditional knowledge of medicine from patenting by pharmaceutical companies? (2019)

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