

Geographical Indication (GI) for Indian Agri-Food Products: What Extension can do?

INTRODUCTION

The *Atmanirbhar* Bharat (Self-reliant India) movement and the National Intellectual Property Rights Policy of India (2016) encourage the protection and promotion of local products, including those having Geographical Indications (GIs) (Box 1). Considering the country's diversity and cultural richness, the current number of GI registrations (especially in agricultural and food products) is far below the potential. Moreover, the post-registration management of registered GIs has also been poor. If capacitated effectively, India's pluralistic Extension and Advisory Services (EAS)¹ can protect and promote local GI agri-food products and their producers. This paper briefs on how EAS can contribute to supporting producers of agri-food products.

Atmanirbhar Bharat, National IPR Policy and GI

The *Atmanirbhar* Bharat movement was initiated in 2020 after realizing the COVID-19 pandemic's impact on various sectors of the economy. The movement aims to achieve self-reliance, not self-centeredness (PIB, 2020). To achieve this, campaigns and schemes such as Vocal to local, One District One Product (ODOP), and One Station One Product (OSOP) have been initiated, which are centred around the promotion of local products. GI, as a value-enhancing tool, can help not only in protection but also in promotion of local products.

The protection of local products through Intellectual Property Rights (IPR) legislations is directed under the National Intellectual Property Rights Policy of India (Gol, 2016). The policy also emphasizes on functions such as:

- creating awareness about IPR by reaching out to less-visible IP generators and holders (agri-food producers) who live in rural and remote areas, and
- generating IPRs by encouraging the registration of GIs through support institutions; assisting GI producers to define and maintain acceptable quality standards; and providing better marketability.

EAS providers can significantly contribute to achieving a self-reliant India by implementing the policy directives of the National IPR policy, particularly relating to GI protection and promotion.

Box 1: Geographical Indication

WIPO (2023) defines GI as a sign identifying a good as having originated from a specific geographical area and possessing a given quality, reputation or other characteristic essentially attributable to that geographical origin. Thus, the main function of a GI is to identify goods whose quality, reputation or other characteristics are strongly connected to their territory of origin. India adopted GI in 1999 by enacting an official act to comply with its obligations under the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement, 1995. The official Geographical Indications of Goods (Registration and Protection) Act, 1999, along with its rules in 2002, came into effect on September 15, 2003. According to the Act, GI in relation to goods means an indication that identifies such goods as agricultural goods, natural goods or manufactured goods as originating or manufactured in the territory of the country, or a region or locality in that territory, where a good is essentially attributable to its geographical origin, and in case where such a good is a manufactured good, either its production or processing or preparation takes place in such territory, region or locality, as the case may be.

¹EAS are all the different activities that provide the information and services needed and demanded by farmers and other actors in rural settings, to assist them in developing their own technical, organizational, and management skills and practices so as to improve their livelihoods and well-being.

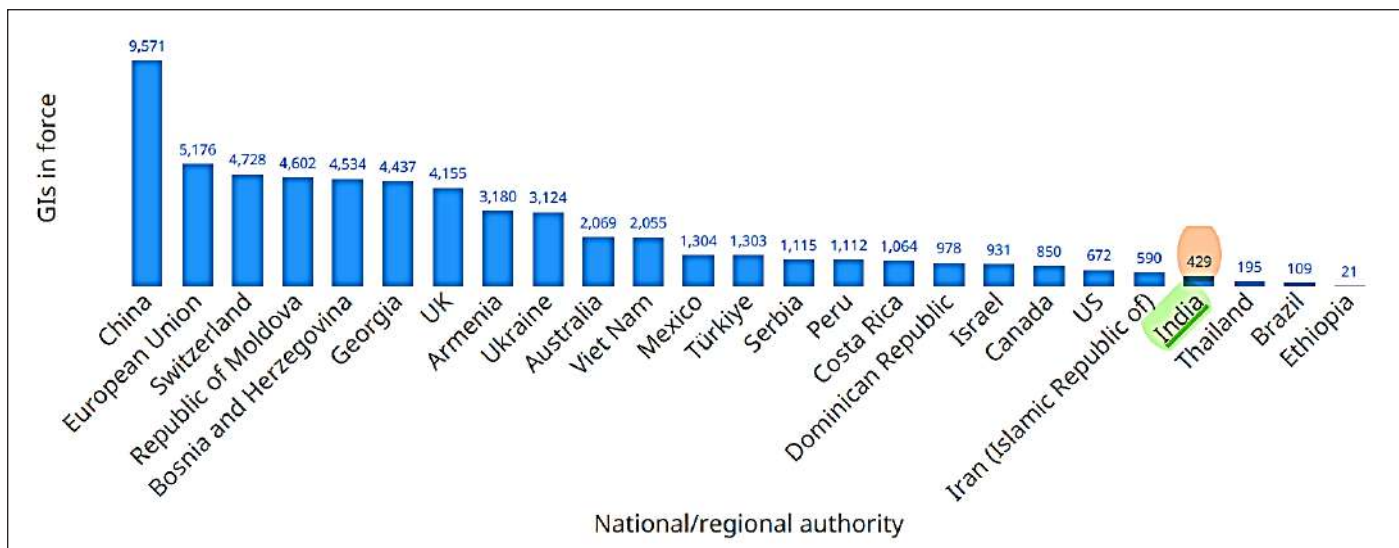


Figure 1: Global status of Geographical Indications compared to India's position (Adapted from WIPO, 2023)

Status of Agricultural GIs in India

India registers GI under three broad categories:

- Agri-food goods
- Natural goods and
- Handicrafts and/or industrial goods

More than 4000 products are reported to have eligibility to get registered under GI Act in India (PTI, 2013). Despite having a vision for achieving the self-reliant India and also being guided by the national IPR policy, the GI registration in India is way below its actual potential.

Globally, agricultural goods and foodstuffs constitute 43.1% of the total GIs in force (WIPO, 2023), whereas in India they constitute 37.5% of the total registrations (GI Registry of India, 2023a). India is positioned at 22nd place in terms of the number of GIs in force (Figure 1).

EAS in India

India's pluralistic EAS involves various actors such as State Departments of Agriculture/ Animal Husbandry/ Fisheries/ Forestry (hereafter, State Departments), State Agricultural Universities (SAUs), ICAR institutions (especially through 11 Agricultural Technology Application Research Institutes and 731 Krishi Vigyan Kendras), Commodity Boards in specific crops, NGOs/CSOs, and private extension services. However, the EAS has been contributing to the registration and protection of agricultural GIs in India only on a limited scale (Box 2).

Box 2: Efforts of pluralistic EAS in GI protection

Some notable efforts of Indian EAS in GI registration are illustrated below:

1. More than half of the registered agricultural GIs in Karnataka state have been filed by the State Department of Horticulture.
2. Kerala Agricultural University and Bihar Agricultural University have played an important role in registering GIs and facilitating GI registration in their respective states.
3. Commodity boards for coffee, tea, spice, and coir have registered 7 types of coffees, 3 types of teas, 5 types of spices, and 1 type of coir, respectively under the GI Act.
4. Under the MSME Intellectual Property Facilitation Centre Scheme, NABARD- Madurai Agri Business Incubation Forum (MABIF) provides IP services and facilitates in obtaining GIs, Patents, and Trademarks. Tamil Nadu State Agricultural Marketing Board in coordination with NABARD-MABIF has registered 10 agricultural GIs all over Tamil Nadu, where MABIF acted as a facilitator. The Deputy Director of Agriculture (Agri-Business) of a district assists NABARD-MABIF in identifying producer associations and in the collection of documents for registering 15 potential products announced by the Agriculture Minister of Tamil Nadu (GoTN, 2023).
5. The famous Madurai Malli (Jasmine) of Tamil Nadu was registered with the coordinated efforts of Agriculture College and Research Institute, Madurai and DHAN Foundation, Madurai.
6. Some ICAR Institutes like ICAR – Central Institute for Subtropical Horticulture and ICAR – National Research Centre for Orchids are in the process of registering GIs.
7. Krishi Vigyan Kendra-Tiruppur has taken the initiative of obtaining a GI tag to establish the authenticity of the Uthukuli Butter.
8. State Agricultural Management and Extension Training Institute (SAMETI) – West Bengal is preparing and implementing a digital platform for multi-level digital traceability of GI crops. Gobindabhog and Tulaippanji Rice have been selected in Phase – 1 of this process.

KEY ISSUES IN AGRI-FOOD GEOGRAPHICAL INDICATIONS

Most of these efforts are primarily focused on registration of the GI. While successful registration is only a job half done, the following three important issues need EAS support:

1. Key stakeholders involved realize their responsibilities

“Who is responsible for what?” is the major question that bothers all those keen to protect their product under the Indian GI system. GI, as a community right, involves many stakeholders in its functioning. There are 12 stakeholders involved in the Indian GI registration and maintenance system (Niranjan, 2023). They are:

- i. The GI registry which registers goods
- ii. The Consultative Group which advises the registry in registration
- iii. Proprietor, who is the applicant producer association
- iv. Inspection committee which is responsible for quality maintenance
- v. Producers who are genuine
- vi. Producers who are not genuine/infringers
- vii. Consumers (local)
- viii. Consumers (non-local)
- ix. IP professional (advocate/ legal consultant/ GI agent) who assists in registration
- x. Facilitator who supports the applicants
- xi. Police station and
- xii. Courts which deal with the legal enforcement of GI rights

The different functions performed by different actors in the GI system are given in Table 1.

All stakeholders should function in synchrony to ensure the smooth functioning of the GI system and

also to ensure collective success in terms of reaping benefits (Radhika et al., 2021). This coordinating, mobilizing, organizing, and facilitating of multi-stakeholders can be best done by EAS providers, provided they are adequately trained on GI and have the organizational mandate to do so.

2. Lack of Awareness

As per the GI Act, all genuine producers must be registered under Part-B of the GI register – as authorized users – to realize the benefits of GI. But in India only 19,187 producers are registered as authorized users (GI Registry of India, 2023b). This is a very small number considering the magnitude of the population that produces GI goods. This implies that producers themselves are not aware of GI and its benefits. A study conducted in Tamil Nadu – a leading state in GI applications and registrations – found that most of the producers of agricultural and food products (47.97%) have a low level of awareness about GI and its associated benefits (Niranjan, 2023). However, the producers expressed their intention to use GI as they perceived it to be beneficial. Hence, given the technical capacity associated with GI-authorized user registration, EAS providers can increase awareness and inculcate positive intention to use GI.

3. Quality Maintenance

The Inspection body/committee is mandated to maintain the quality of the GI product and assist in enforcing infringement. The constitution of this committee is one of the prerequisites of any GI application. However, GI legislation hardly explains the procedure and purpose of constituting such a body (Nair, 2021). This results in non-existent or non-functioning quality control and infringement mechanisms in many of the products (Vinayan, 2017). In the absence of quality control and infringement mechanisms, GI protection has no meaning as a brand image can neither be built nor maintained. Until the issue is addressed with legislation, the task of monitoring and maintenance of the constituted inspection committee can be undertaken by extension.

Table 1: Stakeholders and their functions in the GI system

S. No.	Function in GI system	Stakeholders involved
1.	Registration	▶ GI Registry, Proprietor, Consultative group, Producers (genuine), IP professional, Inspection body/committee and facilitator.
2.	Enforcement	▶ Producer (genuine), Proprietor, Consumers (both local and non-local), IP professional, Police and Courts.
3.	Maintenance	▶ Proprietor, Inspection body/ committee, Producer (genuine), Producer (not genuine), Consumers (both local and non-local).

RECOMMENDATIONS

Considering EAS's proximity to all the relevant stakeholders in the GI system, the following interventions by them are recommended:

1. Capacity development of EAS providers: Before enhancing awareness among producers of GI goods, it is essential to increase the knowledge and skills of EAS providers. For instance, at least one Subject Matter Specialist (SMS) in ICAR-KVKs could be trained to address issues associated with GI, who in turn could train other extension functionaries associated with State departments, KVKs, NGOs, and SAUs who work in a GI-registered location. Partnering with the World Intellectual Property Organization (WIPO), Geneva; GI Registry, Chennai; Rajiv Gandhi National Institute of Intellectual Property Management (RGNIPM), and other relevant experts could help in this action. This whole process may be coordinated and monitored by SAMETIs at the State level and the National Institute of Agricultural Extension Management (MANAGE) at the national level.

2. Use institutional infrastructure to support GI: GI stakeholder management and quality maintenance can be addressed using the wide field (district and block)-level institutional network that State Departments and KVKs have. A GI cell can be set up in the offices of State Departments (at the district level) or in KVKs for facilitating authorized user registration and renewal, resolving conflicts among stakeholders, and monitoring the activities of the

Inspection committee. Similarly, an IPR research and facilitation centre can be established in all ICAR-ATARIs to research, network, and collaborate with IP professionals to identify and register GIs. The centre can also facilitate farmers in other IPRs such as trademarks, Protection of Plant Varieties and Farmers' Right Act (PPV&FRA), etc.

3. Utilize the grants available for GI registration, protection and promotion: In the current policy focus on local and culture-centred products, EAS should be capable of utilizing the funds and grants available for GI protection and promotion. For example, INR 3 lakh per product has been allocated in the Tamil Nadu Government's budget for GI registration of 15 agricultural products in 2023 (GoTN, 2023). Similarly, in 2022 and 2023, an India GI fair was organized at Delhi where the organizers supported GI producers in exhibiting and promoting their products by taking care of their financial requirements to attend the event. EAS should be able to organize such events and promote GI at the state and district levels.

4. Use of local GI products as souvenirs at events: ICAR, SAUs, State Departments, and NGOs organize seminars, conferences, official meetings, invited lectures, campaigns, etc., which organizers could use to promote available GI products. For instance, GI products could be given as gifts to participants or dignitaries on such occasions (Niranjan et al., 2023). This practice will help in creating awareness about and promoting GI products.

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AUTHORS

D. Alagu Niranjana, Research Fellow, Centre for Research on Innovation and Science Policy, Hyderabad – 500034, India.

Email: alaguniranjana@hotmail.com & dan131995@gmail.com

Mobile: +91 9486352934

Sujeet Kumar Jha, Principal Scientist, Division of Agricultural Extension, Indian Council of Agricultural Research, New Delhi - 110012, India.

Email: Sujeet.Jha@icar.gov.in & sujeet.jha.icar@gmail.com

Mobile: +91 9499184391

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Centre for Research on Innovation
and Science Policy (CRISP)
Banjara Hills, Hyderabad, Telangana

www.crispindia.org



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Research Institute
Karnal, Haryana

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