

IMPACT OF GEOGRAPHICAL INDICATION TAGS ON HANDICRAFT INDUSTRY OF RAJASTHAN

NAT RAM MEENA

Research Scholar, Department of Law, MLSU, Udaipur, Email : nat.llbdu10@gmail.com

Dr. KRISHNA KISHOR TRIVEDI

Assistant Professor, Department of Law, JRN RVU, Udaipur (Raj.)

Abstract:

Geographical Indication is a form of intellectual property rights of. It plays the significant role to social, economic and cultural development of a particular region. Geographical Indications provides collective rights. Present Research Article has focused that how Geographical Indignation impacts the social and economic life of people of a particular region .This study is about the impact of Geographical indication on Rajasthani Handicraft.People develop a habit of preserving and promoting their heritage once they are aware about the socio-cultural benefits of G.I. tagof their handicrafts.

Keyword: Geographical Indication (G.I.) Handicraft,Artisans, Community, People, Social, economic and cultural development

Introduction

Geographical indication is important branch of intellectual property right.The Geographical indication is very much helpful for increase the incomeofregistered proprietor and authorized users of G.I.Tags like. Farmer, Artisans of handicraft etc. It supplements the economic and human development value of community.

GI tag is a form of intellectual property, a certification given to certain goods or products which are unique to a geographical region. It is an integral part of the development which advances economic interests. These tags are a tool to protect the ownership rights on natural resources and manufactured goods. Products having GI tags prevent unauthorised use and provide financial gain for producers through exports.¹

Indian Geographical indication Act talks about that once the GI is registered, an infringement action can be initiated both by the registered proprietor and by authorized users whose names have been entered on the Register.

¹ <https://timesofindia.indiatimes.com/city/jaipur/gi-tag-in-hand-sojat-mehndi-nowlooks-to-increase-global-footprint/articleshow/89102882.cms>

What is Geographical Indication?

Geographical indication indicates that particular goods originate from a country, region or locality and has some special characteristics, qualities or reputation which is attributable to its place of origin. These special characteristics, qualities or reputation may be due to various factors, e.g. natural factors such as raw material, soil, regional climate, temperature, moisture etc. or the method of manufacture or preparation of product such as traditional production method; or other human factors such as concentration of similar businesses in the same region, specialization in the production or preparation of certain products and the maintaining of certain quality standards.²

According to Article 22(1) of the TRIPS Agreement geographical indication means : *“Indication which identifies a good as originating in the territory of a member of WTO, or a region or locality in that territory where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin.”*

Section 2(1) (e) of the Geographical Indications of Goods(Registration and Protection) Act, 1999 states “Geographical Indication” as follows: Geographical Indication, in relation to goods, means *“An indication which identifies such goods as agricultural goods, natural goods or manufactured goods as originating, or manufactured in the territory of county, or a region or locality in that territory, where a given quality, reputation or other characteristic of such goods is essentially attributable to its geographical origin and in case where such goods are manufactured goods one of the activities of either the production or of processing or preparations of the goods concerned takes place in such territory, region or locality, as the case may be.”*

TRIPS talks about general goods for protection of geographical indications but the Indian GI Act 1999 talks about the specific goods for protection of geographical indication such as agricultural goods or natural goods or manufactured goods. Further, in the Indian Act, if a producer applies for a GI for a manufactured good, he or she must make sure that at least one of the activities of either the production or processing or preparation of the good must take place in the territory. In that sense, the GI Act is more restrictive than the TRIPS definition.

² Surekha Vasishta and Amar Raj Lall, Geographical indications of Goods(Registration and Protection) Act.1999; A.K. Koul and V.K. Ahuja (ed.), The Law of Intellectual Property Rights: In Prospects and Retrospect ,page248, Faculty of Law , University of Delhi, (2001)

Justification for Protection of GI:

Geographical indication is a whole community right and individual person cannot claim for geographical indication. It is based on principal of equal benefit. All members of community are free for use of geographical indication that produces the goods in the particular place or region. It suggests to the consumers that the special and particular quality and characteristics of goods produced in a specified area or country. The protection of GI encourages the people of particular community for produce the quality goods then quantity.

The Geographical indication Tags is helpful to protect Indigenous knowledge. We can protect the some traditional knowledge of community through geographical indications but it is not possible for all form of Traditional knowledge it can be possible only then the traditional knowledge has important value in defined geographical area or location

Right conferred by Registration:

Registered and Authorised users have some rights after getting registration, All legal proceeding relating to a GI registration is *prima facie* proof of validity and it affords a better legal protection to authorized user in all cases of infringement of registered GI, Although the registration of geographical indication is not mandatory under Geographical Act 1999. But without registration users cannot file any suit regarding prevents of infringement and recovers to the damages.³

Rajasthani Handicraft and G.I. Tags:

Rajasthani handicraft is famous for traditional and unique look and design. All handicrafts items are crafted by skilled craftsmen.

The following types of goods are protected by Geographical indication Act 1999 in Rajasthan State

1. "Handicrafts goods" like. Kota Doria, Bagru Hand Block Print, Molela Clay Work, Sangneri Hand Block Print, Blue Pottery of Rajasthan, Thewa Art Work etc.
2. "Natural goods" (Makrana Marble)
3. "Agricultural goods"(Sojat Mehandi)

³ Section 20 of GI Act 1999

4. “Foodstuff”(Bikaneri Bhujia)

1. Blue Pottery Handicraft:



Today Blue Pottery Handicraft is livelihood of many people. It is widely recognized as a traditional craft of Jaipur, though it is Turko-Persian in origin. The name 'blue pottery' comes from the eye-catching blue dye used to colour the pottery.⁴

There are many utensils of Blue Pottery available in market. The traditional designs have been adapted in Blue pottery Handicraft like. Daily use Domestic pots, jars, urns, vases, tea cups and saucers, plates and glasses, jugs, ashtrays and napkin rings etc.⁵

2. Marble Handicraft:



Marble Handicraft items are available in different and attractive designs in various cities in India, but handicrafts in Jaipur are rich, cultural and honed through

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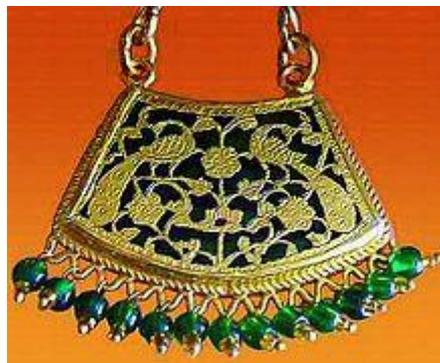
<https://industries.rajasthan.gov.in/content/industries/handmadeinrajasthandepartment/artandcraft/bluepottery/bluepottery-jaipur.html>

⁵ Id.

generations of family skills. All marble handicrafts items are crafted by skilled craftsmen using simple tools by hand carvings on high grade Makarana marbles with Meenakari and Kundan work. Therefore it's used as home decoration and gifting purpose. Rajasthan is also famous for handmade marble painting on real marble.⁶

Decorative marble handicraft items have capacity to create a unique and traditional look to house and offices. All of marble handicraft collections are crafted by skilled craftsmen with good quality raw materials. These are incomparable with any other decorative things.

3. Thewa Art Work (Pratapgarh District)



Thewa Art is about two hundred and fifty years old. It proceeded under the patronage of royals. The royal families gave place in their court to the goldsmith. Even today these families are called Rajsoni. Now only a few families are left in Pratapgarh who know Thewa Art.⁷

Many artists of Pratapgarh have received many International and National awards for this unique art. The Thewa art was passed generation to generation. Some Artists are pushing this art beyond a realm.

Fine gold artifacts are engraved in 'Thewa Kala'. Which are made by skilled and skilled hands with the help of small tools. In this art, a fine mesh is first made on the glass by applying gold sheet, which is called 'Tharana'. In the second stage, a frame is made of fine silver wire to tighten the glass, which is called 'Vada'. After that it is heated in a high fire. After this, gold artwork and beautiful designs emerge.

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<https://industries.rajasthan.gov.in/content/industries/handmadeinrajasthandepartment/artandcraft/s tonecarving/marblehandicrafts.html>

⁷ <https://www.patrika.com/pratapgarh-rajasthan-news/theta-art-of-pratapgarh-made-the-first-choice-of-researchers-4719686>

Thewa artist Vishnu says that in the beginning the work of 'Thewa' was done only on precious stones of red, blue and green colours, diamond, emerald etc., but now this work started on yellow, pink and black colored glass gems also. Today only a few people of Pratapgarh have saved this rare art of Rajasthan.⁸

4. Kathputlis:



A puppet is simply a toy character or face, which behind the scenes is performed by the artist with the help of thread on their fingers That's why such people who work on someone's behest are called puppets.

Kathputli dance and performance is one of the major tourist attractions of Rajasthan. The string puppets of Rajasthan are famous as kathputlis in the local language and the main centers where they are prepared are Jaipur and Jodhpur. The Bhatt community makes these puppets as well as performs with them.⁹

Impact of Geographical Indication on Handicraft Industry:

One of the purposes of awarding G.I. Status to any product is to identify and promote such unique products that have a specific geographical origin and possess qualities or a reputation that are due to that place of the origin. G.I. Tags have social, economic and Cultural Impact on Rajasthani Handicraft

⁸ Id.

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<https://industries.rajasthan.gov.in/content/industries/handmadeinrajasthandepartment/artandcraft/woodandsandlewoodwork/kathputli.html>

Rajasthan has vast diverse variety of handicrafts that have gained their reputation and brand image worldwide after getting G.I. tags. The Kota Doria, Blue pottery of Jaipur, Sangneri hand block printing, Thewa art work and Kathputlis of Rajasthan are few examples of handicrafts with GI status that have not only provided social-economic benefit to the concerned artisans of Rajasthan but also contributed to the cultural and tourism development in Rajasthan.

As we know that every coin has two sides similarly the impact of GI Tags on Rajasthan handicraft has both pros and cons. Let us first discuss the positive impact of G.I. Tags as Rajasthani handicrafts in different ways of life of people.

Positive Impact:

1. The Rajasthani handicrafts and people associated with such handicrafts have got special identity, honour, reputation and brand image not only in India but also across the world as tourist from all world visit Rajasthan every year and buy handicrafts with GI tag as their memories from Rajasthan.
2. G.I. Tags to Rajasthani handicraft not only provided gainful employment and source of economy to indigenous people but also empowered them socially and culturally. As G.I. Tags provides legal protection to their handicrafts from infringement by unauthorised persons. Therefore it preserves the social and cultural heritage values of that particular region associated with such handicraft.
3. People develop a habit of preserving and promoting their heritage once they are aware about the socio-cultural benefits of G.I. tag to their handicrafts.
4. G.I. tags positively impacts the social life of even less educated and rural community artisans as the only source of earning for them is manufacturing and trading these regionally reputed handicrafts, especially when they are not in a position to compete with similar industry globally due to lack of economy and marketing skills.
5. G.I. status provides scope for regional development of such areas as well as communities where such handicrafts are being manufactured and this also prevents their migration to other big cities.

6. After getting GI tags, the handicraft product gets recognition in the global market and GI tags help Customers to identify good quality and reputed products in the market and attracts the buyer at global level. So G.I. tags helps in marketing of Handicraft product in the global market G.I. Tag
7. G.I. tag provides equal opportunity of employment for whole peoples in that particular region. An Individual person cannot Stop other authorised users to do same business , manufacture and Sell of Goods in market , Because G.I. is a community rights not monopoly of a particular person But Law always Prevents unauthorised use of a Registered G.I.
8. Many local communities have traditional processes, method , and knowledge carried forward from generation to generation G.I. Tag play the important role to protect Traditional knowledge, their practice and cultural of particular region

Negative Impact:

1. Many times producers do not share their benefit equitably in the region and the actual people or workers do not get their share.
2. Manytimes ‘traders have counterfeit goods and getting same economic benefit resulted from G.I. tag. Duplication of similar handicraft products of G.I. status in same region deceives the outsiders.

Research Methodology:

This Research is based on the doctrinal method of research. The main source of this project is books, Newspaper Article, case study, and Govt. policies. Researcher has also relied upon many Articles of various scholars and some other reading material which found in different journals available in the Library and also web sources.

Conclusion:

G.I. Tag that have not only provided social-economic benefit to the concerned artisans of Rajasthan but also contributed to the cultural and tourism development in Rajasthan. There is needed to promote research and development in handicraft field. Only a few people of Community have saved the many rare handicraft of Rajasthan. So here, there is need to learn traditional Art to new generation through proper training by Traditional Artisans. The Government should take extra effort like providing subsidies and free legal aids in order to enhance benefit the original artisans of handicrafts.

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