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Status of Geographical Indications in the Northeast Region of India

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Geographical Indications (GI) is considered as a tool for providing legal protection to goods originated or manufactured from particular geographical location during trade. Till now, Northeast region of India had 35 goods registered under GI which accounted only 7.9% of total number of goods registered under GI in India. The GI registration in Northeast region of India has been started since 2007 and the highest number of registrations was found in 2014 (35.48 %) and lowest in 2007, 2016, 2017 and 2018 (3.23 %). Assam had the highest number of GI goods i.e., 10 goods that accounted for 28 %, followed by Mizoram (20 %), Manipur (20 %), Nagaland (11 %) and the other states (21 %). Most of the GI registrations were done for Class 25 (clothing-traditional attire) that accounted for 38.71%, followed by Class 31 (32.26 %), Class 30 (29.03 %) etc. However, only 25.7 % of goods registered in Part B of GI were Assam (orthodox), *Bokachaul, Chak Hao, Idu Mishmi* textile, Joha rice, *Muga* silk, *Mizo* chilli, *Naga Mirchi* and Sikkim large cardamom. This region has high potential to register many goods under GI because of high cultural diversity, diverse ethnicity, rich biodiversity and indigenous knowledge system.

Keywords: Geographical Indications, Paris Convention, TRIPS Agreement, Northeast Region of India, GI Registrations

Geographical Indications (GI) is a type of intellectual property right (IPR) that provides legal protection infringement to against goods originated manufactured from a geographical area. GI came into existence due to the effort of various organizations such as World Intellectual Property Organization (WIPO), World Trade Organisation (WTO), etc. whereas Paris Conventions, Madrid agreement, Lisbon agreement and Trade Related Aspects of Intellectual Property Rights (TRIPS) Agreement also play an instrumental role in materialising GI in worldwide trading. For instance, Article 1(2) of Paris Convention 1883 gives priority on Indications of Source wherein contracting state must take proper measure against false identification of the source of goods during trade. Similarly, two multilateral agreements viz., Madrid Agreement 1891 and Lisbon Agreement 1958 also emphasise on the protection of indications of source, which is similar to GI concept in trading.

WIPO is an agency that deals especially on Intellectual Property Right (IPR). It is an integral part of United Nations and plays an important role in recognising GI world widely. In 1994, TRIPS Agreement of World Trade Organisation (WTO) recognised GI as a type of IPR world widely and it came into effect from 1 January 1995. On 22 December 1995

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there was an agreement between WIPO and WTO that emphasised to assist developing countries to implement the provisions of TRIPS in various aspects *viz.*, legal technical assistance and technical cooperation. However, this agreement entered into force on 1 January 1996.

Geographical Indication is defined based on Article 22(1) of TRIPS 1994 as "Indications which identify a good as originating in the territory of a member, or a region in that territory, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin." Whereas in India, GI is defined based on section 2(e) of Geographical Indications of Goods (Registration and Protection) Act 1999 as "an indication which identifies such goods as agricultural goods, natural goods or manufactured goods as originating, or manufactured in the territory of a country, 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 preparation of the goods concerned takes place in such territory, region or locality, as the case may be." Herein indications denote any name or figural that conveys geographical origin of goods based on Section 2 (g) of Geographical Indications of Goods (Registration and Protection) Act, 1999.²

In India, the Controller General of Patents, Designs and Trade Marks are designated as the Registrar of GI and its main office is located in Chennai. Based on Geographical Indications of Goods (Registration and Protection) Rules, 2002, the registration of GI is done with form number GI-1 along with prescribed fee to the Registrar of Geographical Indications. Whereas, form GI-5 under rule 22 is used for application of search with payment of prescribed fees wherein they check resemblance with other records in trade mark or GI. Besides, form GI-2A along with prescribed fees is used to oppose the GI registration within three months after the application made available in the public domain.³ The GI registration is generally done in two ways i.e., Part A and Part B. Part A deals with registration of both product and its logo for 10 years period which can be renewed periodically whereas Part B (Form GI-3) deals with registration of producer or authorised users of GI tag product.³ In India, Part B registration was found to be underutilised in some cases mostly due to ignorance among the rural manufacturer or producers regarding the benefits of GI registration in trading and this gap can be taken care by conducting awareness programme on time.⁴ Besides, Govt. of India also tried to boost GI through promoting Agriculture Export Policy(2018)wherein the highest priority was given to promote GI registration, marketing and promotion of "Brand India" for export of agri-products.⁵

In India, Darjeeling tea is the first GI registered by TEA Board, Kolkata under Class 30 (one of the classification of goods) for tea grown in 87 gardens in Darjeeling district of West Bengal. In total, 443 goods were registered under GI in India based on section 2(f) of Geographical Indications of Goods (Registration and Protection) Act 1999 till 21st October 2022.^{6,7} This registration enables protection of the intellectual property right (IPR) of local communities and also helps to stop unauthorised use of GI by others. It will be a boon to rural population

as it may improve the economic opportunity in rural area, increase scope of price premium and also reduces uncertainty of quality of its product. Besides, GI also helps agricultural sectors to boost export through branding agro-products with GI tags because consumers prefer GI goods as compared to non-branded one. It also acts as an instrument for export differentiation. 4,9

Northeast region of India consists of eight states Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim and Tripura which have diverse ethnicity with 145 schedule tribes co-existed with a population of 1.27 crore which 12.18% of total ST population in India (705 Schedule tribes and 10.43 crore population). 10-12 Physiographically this region is diverse and is categorised as Brahmaputra plain, Barak valley plain, Eastern Himalaya and Northeast hills (Patkai-Naga Hills and Lushai Hills). This region is an integral part of Indo Burma Hotspot and also prioritised as Global 200 Eco region by WWF. ¹³It is also identified as centre of rice germplasm,¹⁴ natural home of *Citrus* spp., 15-18 "Hindustani centre of origin of cultivated plants¹⁹ and wild relatives of crop plants.²⁰ Being a mega cultural landscape with diverse ethnicity, the people possess distinct indigenous knowledge systems in various aspects such as traditional farming system, agro forestry system, material culture, ethnobotany, etc. which need protection world widely during trade through GI tagging and it may act as a tool to improve the socio-economic condition of diverse ethnic communities in NE India.

Status of GI Registration in NE India

In Northeast region of India, 35 goods were registered under Part A of GI till 21 October 2022 (Table 1).

The registration of goods under Part A of GI in NE India has been started since 2007. The highest GI registration was found in the year 2014 with 35.48%,

	Table 1— GI goods under Part A in NE India ²¹							
S. no	. GI goods (Scientific name)	Types of goods	Application no.	on State	Applicants	Year		
1	Arunachal Orange (Citrus reticulata Blanco.)	Class-31-Horticulture products (Fruits)	375	Arunachal Pradesh	North Eastern Regional Agricultural Marketing Corporation Limited (NERAMAC), Guwahati, Assam	2014		
2	Idu Mishmi Textiles	Class 25-Textiles	625	Arunachal Pradesh	Idu Mishmi Cultural and Literary Society (IMCLS), Roing, Lower Dibang Valley, Arunachal Pradesh	2019		
					-	(Contd.)		

S. no.	GI goods (Scientific name)	Types of goods	Application	State	Applicants	Year
3	Muga silk of Assam	Class 23-Raw silk yarns and threads for textile use; Class-24- Textile and	no. 55 & 384* * Muga sill logo (2014	ζ	Patent Information Centre, ASTEC, Assam Science Technology and Environment Council (ASTEC), 3 rd	2007
		textile goods including Mekhla-chadar, shawls, dress materials, sarees, wall hangings; Class-25-Clothing/ Garment, foot wears, head gear, Made ups, ties, motifs, fashion wears; Class-27-Quilt furnishing & Upholstery; Class 31-Cocoon.			Floor, City Co-operative Building, U.N.B. Road, Silpukhuri, Guwahati- 781003, Assam	
4	Gamosa	Class 25-Clothing	594	Assam	Institute of Handicraft Development, Dhodang, Golaghat, Assam Facilitated by: Assam Agricultural University. Jorhat, Assam	2019
	Gamosa of Assam	Class-24-Textiles and textile goods.	594	Assam	Directorate of Handloom & Textiles, Assam Facilitate by: Assam Agricultural University, Jorhat, Assam Patent Information Centre, Assam Science Technology & Environment, Guwahati, Assam	2022
5	Assam (Orthodox)	Class-30- Tea	115 & 118	Assam	Tea Board, 14, B.T.M. Sarani, Brabourne Road, 6Kolkata, West Bengal	2008
6	Joha Rice of Assam	Class-30-Rice	439	Assam	Assam Agricultural University, Jorhat, Assam SeujSatirtha, Central Cultural Building, Kachumari, Sivasagar, Assam	2016
7	Boka Chaul	Class-30-Rice	558	Assam	Lotus Progressive Centre (LPC), Morowa, Nalbari, Assam Centre for Environment Education (CEE), CEE North East, Chenikuthi, Guwahati, Assam	2018
8	Chokuwa Rice of Assam	Class-30-Rice	572	Assam	SeujSatirth, Sivsagar, Assam Facilitated by: Assam Agricultural University, Jorhat, Assam	2019
9	Assam Karbi Anglong Ginger (<i>Zingiberofficinale</i> Rosc.)	Class-30-Spices-Ginger	435	Assam	NERAMAC	2014
10	Tezpur Litchi (<i>Litchi chinensis</i> Sonn.)	Class-31-Horticultural products (Fruits)-Litchi	438	Assam	NERAMAC	2014
11	Kaji Nemu (Citrus limon)	Class 31-Horticulture products (Fruits)-Lemon	609	Assam	Crs-Na-DihingNemuTengaUnnayan Samity, DiramukhThepabari, Post: Hahkhati, Tinsukia, Assam, India. Facilitate by: Assam Agricultural University, Jorhat, Assam	2019

Govt. of Manipur, Ind Department of Common Govt. of Manipur, Ind Consortium of Product (Black Rice) (Oryza sativa L. subspecies Indica)		Yea
Beverages (Expect Beer) Made of Rice Facilitated by Facilitated by Facilitated by Lyouth Association & Empowerment (Yz. Assam Agricultural		
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14 MoirangPhee Class 25 Clothing 373 Manipur Department of Comm Govt. of Manipur, Ind Govt. of Manipur, Ind Govt. of Manipur, Ind Department of Comm Govt. of Manipur, Ind Consortium of Produc Govt. of Manipur, Ind Consortium of Produc Govt. of Manipur, Ind Govt. of Manipur Consortium of Produc Glack Rice), Manipur Facilitated by: 1. Department of Agric Government of Manipur, 2. North Eastern Reging Marketing Corporation (NERAMAC) Manipur Organic Mis (MOMA), Directorate Imphal, Manipur Manipur Organic Mis (MOMA), Directorate Sanjenthong, Imphal, Manipur Manipur Organic Mis (MOMA), Directorate Sanjenthong, Imphal, Manipur Manipur Organic Mis (MOMA), Directorate Sanjenthong, Imphal, Direc	ommerce & Industries,	201
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		Table 1— GI go	ods under P	art A in NE Inc	lia ²¹	
S. no	. GI goods (Scientific name)	Types of goods	Applicatio no.	n State	Applicants	Year
29	Chakshesang Shawl	Class-24, 25 & 27 Textiles	542	Nagaland	Chakhesang Women Welfare Society, Pfustsero, Phek district, Nagaland	2017
30	Naga Tree Tomato (Solanum betaceum Cav.)	Class 31-Horticultural Product	374	Nagaland	NERAMAC	2014
31	Naga Mircha (Capsicum annuum L., Capsicum frutescens L., Capsicum. sp.)	Class 31 Chilli	109	Nagaland	The Secretary, Department of Horticulture & Agriculture, Govt. of Nagaland, Kohima, Nagaland	2008
32	Naga Cucumber (Cucumis sativus L.)	Class 31-Cucumber	640	Nagaland	North Eastern Regional Agricultural Marketing Corporation (NERAMAC), Guwahati, Assam	2020
33	Sikkim Large Cardamom (Amomum subulatum Roxb.)	Class-30-Spices- Cardamom	376	Sikkim	NERAMAC	2014
34	DalleKhursani (Capsicum annuum var. cerasiforme)	Class-30 Chilli	636	Sikkim, Darjeeling and Kalimpong districts of West Bengal	North Eastern Regional Agricultural Marketing Corporation (NERAMAC), Guwahati, Assam	2021 & 2020
35	Tripura Queen Pineapple <i>Ananascomosus</i> (L.) Merr.	Class-31-Horticulture products (Fruits)-Pineapple	436	Tripura	NERAMAC	2014

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Table 2	Status of	· C:1	registration	in	Morth	Foot	India
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Year	No. of GI goods registered	Name of goods	Percentage
2007	1	Muga silk of Assam	3.23%
2008	2	Assam (Orthodox) and Naga mircha	6.45%
2013	2	Wangkhei Phee and Moirang Phee	6.45%
2014	11	Arunachal Orange, Tezpur Litchi, Assam Karbi Anglong Ginger, Khasi Mandarin, Mizo Chilli, Naga Tree Tomato, Sikkim, Large Cardamom, Tripura Queen Pineapple, <i>Kachai</i> Lemon, <i>Memong Narang</i> and <i>ShapheeLanphee</i> .	35.48%
2016	1	Joha Rice of Assam	3.23%
2017	1	Chakshesang Shawl	3.23%
2018	1	BokaChaul	3.23%
2019	10	Chak-Hao (Black rice), Kaji Nemu, Idu Mishmi Textiles, Gamosa, Ngotekherh, Pawndum, Hmaram, Tawlhlohpuan, Mizo Puanchel and Chokuwa Rice of Assam	32.26%
2020	5	Judima, Hathei Chilli, Tamenglong Orange, Naga Cucumber, Dalle Khursani	3.23%
2021	1	Mizo Ginger	3.23%
	35		100%

followed by 2019 (32.26%), 2008 (6.67%) etc. (Table 2).

In Northeast region of India, every state had GI registration. Among all, Assam had highest GI registered goods with 10 goods, followed by Mizoram (7), Manipur (7), Nagaland (4), Arunachal Pradesh (2), etc. (Fig. 1).

Class of Goods Registered for GI

In North East India, there were six classes of goods viz., Class 23, 24, 25, 27, 30, 31 and 33 used to register 35 goods under GI (Table 3). The highest number of registrations of GI was done in Class 25 especially for

ethnic clothing that accounted for 38.71%, followed by Class 31 (32.26%), Class 30 (29.03%), Class 24 (25.81%) etc, (Table 3). There were 12 goods registered under Class 25 in 4 states i.e., 5 traditional attires viz., Mizo Puanchel, Tawlhlohpuan, Hmaram, Pawndum and Ngotekherh were registered from Mizoram; 3 traditional attires viz., Moirang Phee, Shaphee Lanphee and Wangkhei Phee from Manipur; 2 traditional attires viz., Gamosa and Muga silk from Assam and Idu Mishmi Textiles from Arunachal Pradesh. In Class 31 (Horticultural products and cocoon), there were 10 goods registered in 6 states i.e., 2 horticultural products and cocoon registered viz., Tezpur Litchi,

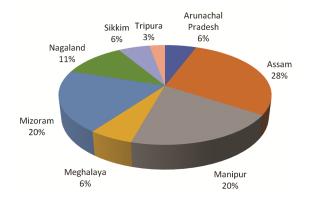


Fig. 1— Distribution of GI registered goods in NE India²¹

Table 3 — Classification of goods and their use frequency ²¹							
Classes	Goods	No. of GI goods	Percentage				
_	Yarns and threads Textiles and textile goods	1 8	3.22% 25.81%				

Cl Cl Class 25 Clothing, foot ware and 12 38.71% headgear Class 27 2 Quilt furnishing & Upholstery 6.45% Class 30 Tea, rice, spices, etc. 9 29.03% Class 31 Horticultural (9), cocoon (1) 10 32.26% Class 33 3.22% Alcoholic Beverages (Expect 1 Beer) Made of Rice

Kaji Nemu and Cocoon from Assam; 2 horticultural products viz., Khasi Mandarin and Memong Narang from Meghalaya; 2 agricultural products viz., Naga tree tomato and Naga mircha (Nagaland); Arunachal orange (Arunachal Pradesh); Kachai Lemon (Manipur); and Tripura queen pineapple (Tripura).

Organisations Involved in GI Registration

In North East India, there are 21 organisations consisted of both Governmental organisations and Non-Government Organisations (NGOs) such as Assam Agricultural University, Assam; Department Commerce & Industries, Manipur; Mizoram Art and Cultural Society, Mizoram; North Eastern Regional Agricultural Marketing Corporation Limited, Assam; Department of Horticulture & Agriculture, Nagaland, etc.²¹ actively involved in registration of textile, clothing, agricultural, horticultural, etc. goods or manufactured products under GI (Table 1 & 2). Among all organisations, North Eastern Regional Agricultural Marketing Corporation Limited (NERAMAC), Guwahati, Assam had the highest GI registration with 13 goods that account for 37.14% mostly from both Class 30 and 31 (agricultural and horticultural products) viz., 2 each from Assam (Assam Karbi Ang long ginger and

Tezpur litchi), Manipur (Kachai lemon and Chak-Hao), Meghalaya (Memongnarang and Khasi mandarin), Nagaland (Naga tree tomato and Naga cucumber) and Sikkim (Sikkim large cardamom and Dalle Khursani), 1 each from Arunachal Pradesh (Arunachal orange), Mizoram (Mizo chilli) and Tripura (Tripura queen pineapple). Mizoram Art and Cultural Society had registered 5 goods under GI in Mizoram viz., Ngotekherh, Pawndum, Hmaram, Tawlhlohpuan and Mizo Puanchel. Assam Agricultural University, Jorhat plays an important role in registering 5 GI goods in Assam such as Joha rice, Kaji Nemu, Chokuwa rice and Judima. Whereas, Department of Commerce & Industries of Manipur registered 3 goods as GI in Manipur viz., Wangkhei Phee, Moirang Phee and Shaphee Lanphee.

Status of Part B Registration of GI

The Part B registration of GI is done to register producer or authorised manufacturer that provides exclusive right with legal protection and also facilitate fixing price of the goods. It also helps producer to get economic benefits such as through unique selling proposition (USP), etc.^{22, 23} Herein, inspection body plays an important role to maintain the quality of the goods.²¹

Till now, only 9 goods were registered under GI especially for Part B in North East India such as Idu Mishmi textile of Arunachal Pradesh; Assam (orthodox), Bokachaul, Muga silk and Joha rice of Assam; Chak Hao of Manipur; Mizo chilli of Mizoram; Naga mirchi of Nagaland and Sikkim large cardamom of Sikkim and accounted for 25.7% of total goods registered in Part A i.e., 35 goods.²¹ In Muga silk of Assam, the number of authorised manufacturer or producer registration was 272 and the registration started from 2012 to 21st October 2022. The highest number of registrations took place in the year 2016 with 52.94% followed by 2015 (34.26%), 2014 (5.19%), etc. This rise in registration in Muga silk during 2015 and 2016 in Assam may be due to the initiative taken by IPR cell of Tezpur University especially for Muga silk in Assam such as field visit followed by organising GI registration clinic cum outreach programme in Lakhimpur district during 2015 wherein 92 participants filled up the Part B form as producers which was later published in GI Registry in October 2015.²⁴ In Arunachal Pradesh, 33 producers had registered under Part B of GI for Idu Mishmi textile in 2020. This gradual increase in registration of producers may be due to an awareness program

conducted in Lower Dibang Valley on "significant of IPR and GI" on 29th November 2019 by Idu Mishmi Cultural and Literary Society's (IMCLS) in which they emphasised on the registration of Part B of GI and benefits from GI tagging.²⁵ Besides, 4 authorised producer registered for Sikkim large cardamom, 2 with *Naga mirchi* and 1 each for Assam (orthodox), *Bokachaul, Chak Hao*, Joiha rice and *Mizo* chilli.

However, over all low registration of Part B of GI is a matter of concern for India in general and NE India in particular because the ethnic communities involved in producing GI tagged goods will not get the economic and legal benefits until they register themselves as producer or authorised manufacturer under Part B. This gap needs to be filled up through awareness or outreach programme at grassroot level.

Organisation Involved with GI Awareness Program in NE India

The Patent Information Centre (PIC) is established in every state of North East India under organisations like Arunachal Pradesh Council for Science & Technology, Assam Science Technology and Environment Council, Manipur Science and Technology Council, Tripura State Council for Science & Technology, Mizoram Science, Technology & Innovation Council, State Council of Science Technology & Environment, Meghalaya, Nagaland Science and Technology Council and Sikkim State Council of Science & Technology. The Patent Information Centre (PIC) plays an important role in promoting Intellectual Property Right (IPR) including GI in their respective states by organising awareness programmes and workshop and also established IPR cells in various educational institutes and universities.

Similar initiatives were under taken by Department of Forestry, NERIST to create awareness among grassroot level stakeholders on IPR including GI at village level in East Siang, Lower Subansiri, Longding, Papumpare and West Kameng districts of Arunachal Pradesh under National Mission on Himalayan Studies (NMHS) funded project from 2018 to 2021.25, 26 Besides, Idu Mishmi Cultural and Literary Society's (IMCLS) of Arunachal Pradesh conducted awareness programme and promote GI registration for producers under Part B.²⁷ Similarly, Tezpur IPR cell conducted awareness program in Assam and promote Part B of GI registration for Muga silk of Assam.²⁴ These initiatives have made a good impact on enhancing the awareness of importance of GI among ethnic communities of NE India which may improve their socio-economic condition in near future.

Conclusion

In total, 35 goods were registered under Part A of Geographical Indications in the Northeast region of India. Among all, Assam had highest GI registered products, followed by Mizoram, Manipur, Nagaland, etc. and 21 organisations were involved directly and indirectly in GI registration. Though Northeast region is rich in biodiversity, ethnicity and cultural diversity and has higher potential in registering many goods under GI such as agricultural crops, horticultural crops, spices, textiles, handicraft products, etc. However, the number of goods registered under GI is too low. There is an urgent need to increase the number of goods under GI registration by conducting more awareness programmes at the grassroot level in various sectors so that more potential GI products can be identified and registered accordingly. Out of 35 GI goods, only 9 products were registered in Part-B of GI for authorised users or producers which are too low at present. There is an urgent need to increase the number of registration under Part B of GI of authorised users or producers for all registered goods so that maximum benefits of GI registrations can be obtained by the users or producers in long run. There is a need to conduct awareness programme among the users or producers regarding the benefits of GI registration under Part B through sanctioning projects at the national level as it ensures protection of GI goods and also may improve the socio-economic conditions of the authorised producers sustainably.

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