

## “FROM REGISTRATION TO REALISATION: LEGAL CHALLENGES IN TRANSLATING GI PROTECTION INTO ECONOMIC GAINS”

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### ABSTRACT

Geographical Indications (GIs) are a unique form of intellectual property that link products to their specific geographical origins, conferring upon them qualities, reputation, or characteristics essentially attributable to that origin. In India, GIs have been positioned as a tool for rural development, cultural preservation, and economic empowerment, especially for communities engaged in agriculture, handicrafts, and traditional industries. Despite a robust legal framework and a rapidly expanding registry—India had over 650 registered GIs as of 2025—the translation of GI registration into tangible economic benefits for stakeholders remains a challenge. These challenges are multifaceted, encompassing legal, administrative, institutional, and market-related dimensions.

This paper critically examines the post-registration landscape of GIs in India, focusing on enforcement issues, awareness and capacity gaps among producer communities, marketing and branding limitations, quality control and standards, institutional bottlenecks, and inter-agency coordination. Through comparative case studies of successful and underperforming GIs across sectors and regions, the report analyses the role of legal frameworks, administrative mechanisms, and stakeholder coordination in shaping outcomes. It also draws on international best practices, particularly from the European Union, to contextualise India's experience and propose actionable recommendations.

### Overview of India's GI Legal Framework and Institutional Architecture

#### *The Geographical Indications of Goods (Registration and Protection) Act, 1999*

India's GI regime is anchored in the Geographical Indications of Goods (Registration and Protection) Act, 1999 (hereinafter referred to as the GI Act), which came into force in 2003. The Act was enacted to fulfil India's obligations under the TRIPS Agreement and to provide a sui generis system for the registration and protection of GIs.<sup>3</sup> The GI Act defines a GI as an indication identifying goods as originating from a territory, region, or locality, where a given quality, reputation, or other characteristic is essentially attributable to its geographical origin.

The Act is complemented by the Geographical Indications of Goods (Registration and Protection) Rules, 2002, which detail the procedural aspects of registration, opposition, authorised user certification, and enforcement. The GI Registry, headquartered in Chennai, is the nodal administrative body operating under the Department for Promotion of Industry and Internal Trade (DPIIT).<sup>4</sup>

#### **Institutional Architecture**

The administrative framework is hierarchical:

- Controller General of Patents, Designs and Trademarks: Apex authority overseeing GI policy and registry operations.
- Registrar of Geographical Indications: Operational head responsible for application processing, dispute resolution, and registry maintenance.
- Deputy/Assistant Registrars and Examiners: Handle technical examination, field verification, and documentation.
- GI Registry (Chennai): Central repository for all GI-related records, including Part A (registered GIs) and Part B (authorised users).<sup>5</sup>

The Registry maintains a public database, publishes the GI Journal, and processes applications, oppositions, renewals, and authorised user registrations. The Registry's legal division addresses disputes and statutory interpretations.

#### **International Context**

India's GI framework is modelled on global standards, particularly the EU's PDO/PGI system, but with notable distinctions. While the EU provides a double layer of protection (PDO for strict origin and process requirements, PGI for

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<sup>3</sup> Available at <https://www.wipo.int/wipolex/en/legislation/details/22959>.

<sup>4</sup> Available at <https://thelaw.institute/trademarks-domain-names-geographical-indications/operational-dynamics-gi-act-india-registry-registration-rights/>

<sup>5</sup> The Geographical Indication Act, 1999. Act No. 48 of 1999.

looser associations), India's Act covers a broader range of goods, including handicrafts and manufactured products, and emphasises collective rights over individual ownership.<sup>6</sup>

### International Context

The Indian GI is primarily based on international standards, particularly the European Union's Protected Designation of Origin (PDO) and Protected Geographical Indication (PGI) regimes; however, it has significant differences. Where the EU has a two-tier protection system of PDO (where the product has strict criteria of origin and processing) and PGI (where the goods have a loose geographical connection), the Indian law follows a much wider range of products, including handicrafts and manufactured goods and whereby collective rights are taken into consideration rather than individual rights.

## MECHANISMS AND CHALLENGES OF POST-REGISTRATION ENFORCEMENT.

### Enforcement Provisions

The GI Act provides civil and criminal protections against infringement cases. District courts may injure, order damages, and destroy infringing merchandise to registered proprietors and authorised users. The criminal penalties include imprisonment for a term of not less than three years and fines of up to two lakh rupees, with supplementary penalties imposed on recidivists. Customs officers have the power to intercept illegal imports, whereas regulations about food and legal metrology are used to prevent misdescription in the packaging of products. The Act also permits ex parte injunctions and interlocutory orders to prevent incomplete infringement.

### Operational Implementation Issues.

Despite the legal requirements, the implementation machine has still faced significant obstacles:

- **Weak Inspection and Quality Control:** The Act requires applicants to describe an inspection structure aimed at ensuring quality; however, this requirement is often made optional and suffers from inadequate implementation. Many geographical indicators (GIs) lack functional inspection authorities, resulting in varying quality standards and the exploitation of some producers who operate unlawfully.<sup>7</sup>
- **Resource Constraints:** Producer associations and boards often lack the financial and legal resources necessary to initiate litigation on infringement claims, particularly on the international front. There is sporadic and limited state assistance.
- **Judicial Delays:** With the abolition of the Intellectual Property Appellate Board (IPAB) in 2021, GI disputes were directly referred to commercial courts and high courts, further straining an already slow court process. By the end of 2020, only a fringe portion of GI litigations had been resolved at the higher courts of litigation.
- **Weak Border Control:** Despite the customs' capacity to seize consignments containing infringing materials, there is no coordination with the GI Registry and producer associations, resulting in many cases of infringement going unnoticed.
- **Absence of Ex Officio Protection:** Compared to the European Union, where the government is allowed to act proactively, the Indian enforcement system is largely complaint-based, placing the burden on producer groups that often lack sufficient resources.

### Case Law and Litigation Trends.

*Tea Board of India v. ITC Limited*<sup>8</sup> Held that GI protection was only applicable to goods and not services, and held that the use of a GI term outside the context of a product (e.g. a hotel lounge named Darjeeling) did not constitute infringement. Other decisions, e.g., *Scotch Whisky Association v. Golden Bottling Ltd*<sup>9</sup> Have ensured that domestic jurisprudence aligns with international customs, as seen in cases such as Golden Bottling Ltd.

Although there are occasional enforcement success stories, the general trend of litigation is characterised by low volumes, prohibitive prices, and minimal deterrent impacts.

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<sup>6</sup> Available at [https://agriculture.ec.europa.eu/farming/geographical-indications-and-quality-schemes/geographical-indications-and-quality-schemes-explained\\_en](https://agriculture.ec.europa.eu/farming/geographical-indications-and-quality-schemes/geographical-indications-and-quality-schemes-explained_en).

<sup>7</sup> Bhattacharya, N.S., Tiwari, K. (2022). A Study on the Quality Control and Enforcement of Registered Geographical Indication Goods in India. In: Bhattacharya, N.S. (eds) Geographical Indication Protection in India. Springer, Singapore. [https://doi.org/10.1007/978-981-19-4296-9\\_2](https://doi.org/10.1007/978-981-19-4296-9_2).

<sup>8</sup> CS No. 250 of 2010, In the High Court at Calcutta

<sup>9</sup> 129(2006) DLT 423, 2006(32) PTC 656(DEL).

## **AMONG PRODUCER COMMUNITIES, AWARENESS AND CAPACITY GAPS.**

### **Poor Awareness and Non-Participation.**

One of the ongoing issues is the lack of awareness among rural producers, artisans, and farmers regarding their GI rights, the registration process, and post-registration requirements. Empirical studies reveal:<sup>10</sup>

- Over three-quarters (78 per cent) of the surveyed artisans were unaware of the benefits of GI certification in branding and marketing.
- As of 2024, 275 out of 643 registered GIs had authorised users, indicating high under-exploitation of the GI system.<sup>11</sup>
- The complex paperwork, formalisation of laws and the absence of short-term gains send many producers away.

### **Obstacles to Authorised Registration of Users.**

Until recently, the registration of an authorised user required that the registered proprietor and a no-objection certificate be submitted together. Recent amendments in 2020 and 2025 have simplified the procedure by waiving the fee and allowing independent applications; however, adoption remains low due to a lack of awareness and difficulties in accessing the system.<sup>12</sup>

### **Capacity Building Initiatives.**

Capacity-building programmes, skill-development workshops, and awareness campaigns have been established by governmental (e.g., NABARD), non-governmental (e.g., SEWA, PRADAN), and development organisations. However, these efforts are still piecemeal and have not translated into total coverage, especially in the remote and marginalised areas.<sup>13</sup>

### **Socio-Economic Barriers**

The social barriers, such as patriarchal beliefs, limited mobility by women, and reluctance to accept external assistance, further limit GI scheme participation, particularly in tribal and minority groups.

## **MARKETING, BRANDING, AND LIMITATIONS TO MARKET ACCESS.**

### **Weak Branding and Customer Knowledge.**

One of the major post-registration strategies that has not been successful is that GI status cannot be translated into strong brands with high market positioning. The majority of GI products are positioned as commodities rather than value-added, branded products, and the price premiums and market differentiation are not particularly high.<sup>14</sup>

- Very few GIs, such as Darjeeling Tea and Basmati Rice, have achieved significant brand recognition not only in their home country but also in other countries.
- Most GI products do not have their own logos, standardised packaging, and integrated marketing plans.
- There is low awareness about the GI logo and its meaning among consumers, which has compromised the premium pricing potential.

### **Market Access Constraints**

**Reliance on Local Sales and Traditional Intermediaries:** More than 85 per cent of artisans rely on local sales and traditional intermediaries, while only 3 per cent utilise e-commerce platforms.

**Export Barriers:** Not all GI products possess the necessary certification, quality standards, and logistical systems to facilitate entry into international markets. Only certain items, including Basmati Rice and Darjeeling Tea, have special HS codes and established export systems.

**Fragmented Producer Base:** This refers to the lack of cohesive producer organisations or cooperatives, which reduces bargaining power and the ability to invest in branding and market development.

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<sup>10</sup> Malladagudda, Sangeetha, and Manjusha R.S. "Twenty Years of Geographical Indications in India: Progress, Problems, and Policy Recommendations". *Archives of Current Research International* 25 (3):365-74. <https://doi.org/10.9734/acri/2025/v25i31128>.

<sup>11</sup> Id.

<sup>12</sup> Buch, N. (2022). Role of Authorized User in Adding Efficacy to GI Protection in India: Issues and Challenges. In: Bhattacharya, N.S. (eds) *Geographical Indication Protection in India*. Springer, Singapore. [https://doi.org/10.1007/978-981-19-4296-9\\_9](https://doi.org/10.1007/978-981-19-4296-9_9)

<sup>13</sup> Ms. Anaswara T,

<sup>14</sup> Gargi Sharma "The Scope for GI Based Branding in Agricultural Products: An Overview" Published in *International Journal of Trend in Scientific Research and Development (ijtsrd)*, ISSN: 2456-6470, Volume-5 | Issue-4, June 2021, pp.793 794,

### Online and E-business Initiatives.

New initiatives, such as the Open Network for Digital Commerce (ONDC) and the One District One Product (ODOP) initiative, aim to connect GI-tagged products and consumers in India and other countries worldwide. However, digital adoption by rural agriculture is limited by a lack of digital literacy, poor infrastructure, and inadequate training.<sup>15</sup>

### Case Study: Chanderi Sarees

The Chanderi Development Foundation (CDF) successfully leveraged the concepts of cluster development, e-commerce, and social media advertising to enhance the turnover and wages of weavers, demonstrating that coordinated branding and online marketing can be highly beneficial.

## PRIMARY CONTROL, STANDARDS AND POST-PRODUCTION CONTROL.

### Legal and Non-legal Loopholes.

The Geographical Indication (GI) Act and the supplementing regulations require the applicant to define product specifications, production processes, and an inspection framework to address quality control. However, the requirement for an inspection body is still discretionary; therefore, many GIs are registered without a functional quality control mechanism.

Until 2020, 150 out of 179 GIs in five main states had identified inspection bodies. Even in the presence of inspection bodies, their usefulness is often limited by a lack of statutory liability, limited resources, and inadequate regulatory control.<sup>16</sup>

### Self-regulated vs. Government-regulated Quality Control.

- Self-Introduced Mechanisms: It is possible to have producer associations that introduce internal regulations and regular control tests; nonetheless, these are prone to manipulation and are not validated.
- Government-Forced Mechanisms: In certain cases (e.g., Basmati Rice), the government has implemented specific quality control regulations and inspection regimes. However, applying this kind of control to all GIs would represent a significant administrative burden and increase the likelihood of bureaucratic delays.<sup>17</sup>

### Quality Dilution and Free-Riding Risks.

A lack of strong quality control makes it easy for non-compliant or unauthorised producers to engage in free riding, leading to brand dilution, consumer deceit, and a loss of market trust. It is especially high in industries like textiles (e.g., Banarasi sarees, Bagru Prints), as machine-made imitations flood the market.

### International Comparisons

The Protected Designation of Origin (PDO) / Protected Geographical Indication (PGI) system of the European Union provides a high level of quality control, with official checks conducted at both the production level and in the market, ensuring ex officio protection and systematic audits. The producer groups are given the power to control, enforce, and create their GIs, thus making them more dominant in the value chain.<sup>18</sup>

## BOTTLENECKS IN INSTITUTIONAL COORDINATION AND INTER-AGENCY.

### Disjointed Institutional Landscape.

The GI ecosystem in India comprises various ministries (Commerce, Agriculture, Textiles), state governments, producer associations, non-governmental organisations, and export promotion councils. Out of this fragmentation arises:

- Conflicting Mandates and Priorities: The duplication of efforts by agencies leads to delays and overlaps in regulations.
- Resource Constraints: Many agencies lack the capacity to provide technical, financial, and human resources to support post-registration work, quality control, and enforcement.
- Absence of Central Coordinating Body: Unlike the EU, India does not have a National GI Board or umbrella organisation to lead post-registration monitoring, strategic decision-making and coordination of the agencies.<sup>19</sup>

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<sup>15</sup> Id.

<sup>16</sup> Bhattacharya, N.S., Tiwari, K. (2022). A Study on the Quality Control and Enforcement of Registered Geographical Indication Goods in India. In: Bhattacharya, N.S. (eds) Geographical Indication Protection in India. Springer, Singapore. [https://doi.org/10.1007/978-981-19-4296-9\\_2](https://doi.org/10.1007/978-981-19-4296-9_2)

<sup>17</sup> Critical Analysis of the Need for “Authorised User Registration” and “Quality Monitoring” under GI Law | SCC Times, SCC Times (2021). <https://blog.sconline.gen.in/post/2021/09/27/need-for-authorised-user-registration-and-quality-monitoring-under-gi-law/>.

<sup>18</sup> Geographical indications and quality schemes explained, Agriculture and Rural Development (2024). [https://agriculture.ec.europa.eu/farming/geographical-indications-and-quality-schemes/geographical-indications-and-quality-schemes-explained\\_en](https://agriculture.ec.europa.eu/farming/geographical-indications-and-quality-schemes/geographical-indications-and-quality-schemes-explained_en).

<sup>19</sup> Inter-Ministerial Issues - Sagar Vidya Kosh MOPSW, (n.d.). [https://mopsw.nic.in/sagarvidyakosh/index.php?title=Inter-Ministerial\\_Issues](https://mopsw.nic.in/sagarvidyakosh/index.php?title=Inter-Ministerial_Issues).

### New Administrative Improvements.

- Digitalisation: The GI Registry has also developed online application systems and digital inspection protocols, thereby improving transparency and efficiency.
- Decentralised Awareness Programs: State-level facilitation centres and programmes facilitated by NABARD have enhanced outreach in some regions.

### Persistent Challenges

Under institutionalised communication channels: There are no institutionalised channels of communication, which further hammers the conflict and delays, especially when the projects are cross-sectoral.

- Capacity Gaps: There is a lack of competence in new technologies, quality control, and market development, which makes implementation difficult.
- Policy Inertia: The process of legislative and procedural change is slow, and stakeholder consultations tend to slow down decision-making.

### Comparative Analysis: Successful and Unsuccessful GI Implementations

**Table 1: Comparative Analysis of GI Implementations Across Sectors and Regions**

GI Product	Sector	Region	Success Level	Key Success Factors / Challenges
Darjeeling Tea	Agriculture	West Bengal	High	Early legal protection, international branding, Tea Board enforcement, but limited benefit to workers, and persistent counterfeiting
Basmati Rice	Agriculture	Punjab/Haryana	High	Export-oriented branding, legal protection, but cross-border disputes, statutory ambiguity, and enforcement gaps
Pochampally Ikat	Handicrafts	Telangana	Moderate	Active state support, marketing initiatives, but limited international market access
Chanderi Saree	Handicrafts	Madhya Pradesh	High	Cluster development, e-commerce, collective rights management, legal enforcement
Banarasi Saree	Textiles	Uttar Pradesh	Low	Fragmented producer base, weak enforcement, counterfeit products, and low awareness
Madhubani Paintings	Handicrafts	Bihar	Low	Weak institutional support, limited marketing, and low consumer awareness
Madurkathi Mats	Handicrafts	West Bengal	Low	Low visibility, limited commercial strategy, poor stakeholder alignment

### INDIA LEGAL REMEDIES, TRENDS IN LITIGATION, AND JURISPRUDENCE OF GEOGRAPHICAL INDICATIONS.

#### Civil and Criminal Remedies

The Geographical Indications Act permits civil and criminal redress:

- Civil remedies: Injunctions, damages, account of profits and destruction of infringing goods. They must be sued in district courts, and registration is prima facie evidence of validity.
- Criminal Remedies: Imprisonment of between six months and three years, fines between an estimated fifty thousand and two lakh rupees and forfeiture of infringing goods. There are stronger punishments for repeat offenders.<sup>20</sup>

#### Litigation Trends

- Small Number of Cases: By 2020, the Supreme Court and other high courts had discussed only six cases related to GI, suggesting that the number of cases that can be referred to litigation is limited due to high costs and a lack of resources.
- Notable Cases:
  - *Tea Board of India v. ITC Limited*: Made it clear that GI protection is only available to goods but not services, and made it clear that application of a GI term out of context does not amount to infringement.<sup>21</sup>
  - *The Scotch Whisky Association v. Golden Bottling Ltd.*: Golden sets that foreign GIs have protection in India, thus ratifying international norms.<sup>22</sup>

<sup>20</sup> THE GEOGRAPHICAL INDICATIONS OF GOODS (REGISTRATION AND PROTECTION) ACT, 1999, ACT NO. 48 of 1999.

<sup>21</sup> GA No. 3137 of 2010 CS No. 250 of 2010 In the High Court at Calcutta Ordinary Original Civil Jurisdiction Tea Board, India

<sup>22</sup> 129(2006) DLT 423, 2006(32) PTC 656(DEL)



○ *State of Madhya Pradesh v. IPAB*:<sup>23</sup> Decided upon an inter-state conflict relating to GI registration, stating the statutory ambiguities and bringing out the need to put down clearer parameters.

### Challenges

- Resource Limitations: Producer associations often lack the financial and legal means to pursue litigation, particularly against counterfeiters who are well-funded.
- Courts' Delays: The GI cases distracting the commercial and High Courts have increased the backlog of cases and delays in resolution.
- Limited Deterrence: The low number of successful prosecutions and civil cases undermines the deterrent nature of the legal structure.

### JOINT RIGHT MANAGEMENT AND AUTHORISED USER REGIME'S ROLE.

#### Collective Rights Management

The GI Act focuses on the collective rights, allowing registration of associations of producers, cooperatives and statutory organisations. The collective management is critical in:

- Quality Control: Ensuring that the product meets the correct specifications and that it is not being compromised.
- Market Development: Resources are pooled to undertake branding, marketing, and export promotion.
- Enforcement: Coordination of prosecution against violators and counterfeiters.

Successful examples include the Chanderi Development Foundation and the Tea Board of India, which have organised producer communities and established effective collective management structures.

#### Authorised User Regimes

GI benefits should be extended to individual producers with the help of authorised user registration. However, adoption remains low due to low awareness, the complexity of the procedures, and inadequate incentives. The reduction of fees and streamlining of procedures in recent years is intended to alleviate such barriers, but long-term outreach and building capacity are also required.<sup>24</sup>

### ECONOMIC IMPACT TEST AND ALLOCATION OF BENEFITS TO STAKEHOLDERS.

#### Economic Benefits

GI registration may produce substantial economic benefits, such as:

- Premium Pricing: There is a higher charge on products bearing a GI label based on supposed quality and authenticity; so, GI-tagged bananas originating in Kerala sell at a fifty per cent gross national product (GNP) over non-GI products.
- Export Earnings: Basmati rice and Darjeeling tea are the major contributors to India's foreign exchange, with Basmati alone generating more than ₹38,000 crores in 2019.
- Rural Development: GI certification enhances bargaining power, preserves traditional knowledge, and creates job opportunities in rural regions.
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#### Distributional Challenges

Although these advantages exist, they are often unequally shared in the sharing of gains:

- Intermediaries Appropriate Higher Values: Primary producers are usually barely involved in the profits, as exporters, traders, and intermediaries collect the bulk of it; this is the situation with Darjeeling tea workers, where workers have seen few to no gains in salary despite an increase in export prices.
- Poor Reach to Artisans and Farmers: There is poor collective organisation, inadequate registration of authorised users, and limited market access, which hinders the trickle-down benefits for artisans and small farmers.
- Gender and Social Inequities: Women and the marginalised are faced with more obstacles to participation and benefit-sharing and require special interventions.<sup>25</sup>

#### Monitoring and Evaluation

The lack of solid data, monitoring, and evaluation systems hinders the assessment of the socio-economic impacts of GI registration. Available literature is based on case studies and anecdotal evidence and thus rationalises the importance of systematic data gathering and effects evaluation.

<sup>23</sup> SLP No 8461/2020, WP No. 9564/2016 and SLP No 8529/2020.

<sup>24</sup> Buch, N. (2022). Role of Authorised User in Adding Efficacy to GI Protection in India: Issues and Challenges. In: Bhattacharya, N.S. (eds) Geographical Indication Protection in India. Springer, Singapore. [https://doi.org/10.1007/978-981-19-4296-9\\_9](https://doi.org/10.1007/978-981-19-4296-9_9).

<sup>25</sup> Dr Tarit Kumar Datta, Advantages, constraints and key success factors in establishing origin- and tradition-linked quality signs: the case of Darjeeling Tea, India. 2011. <https://grist.org/wp-content/uploads/2011/01/darjeelingtea.pdf>

## REFORMS AND LEGISLATIVE AMENDMENTS INTRODUCED OR DISCUSSED.

### Recent and Proposed Reforms

- Draft Amendments to the GI Act: The government is consulting stakeholders regarding proposed changes to enhance enforcement, simplify the registration process, and align with best practices worldwide.
- Establishing a National GI Board: Experts suggest that a central coordinating body be established to oversee post-registration activities, ensure quality control, and coordinate with other relevant agencies.
- Combination with Development Programs: It is proposed to combine GI promotion and rural development programs, export promotion councils, and digital commerce platforms as a means of increasing market accessibility and economic impact.<sup>26</sup>

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### Key Policy Recommendations

- Make Registration and Authorisation easier: Streamline operations and reduce documentation and legal assistance requirements for small producers.
- Enhance Quality Control: Requirement of inspection structures, formation of statutory oversight agencies, and periodical audits and random checks.
- Strengthen Expertise: Authorise the authorities to perform ex officio, sanction violations of the act, and ensure better alignment with the authorities in terms of customs and market surveillance.
- Market Access and Branding: Invest in expanding the awareness campaign, developing product-specific logos, and facilitating participation in trade shows and online marketplaces to enhance brand visibility and recognition.
- Create Producer Cooperatives, Self-Help, and Cluster Development Cooperatives: Invite and promote producer cooperatives, self-help groups, and cluster development programmes.
- Enhance Monitoring and Evaluation: Implement data-based systems to monitor GI outcomes, the distribution of benefits, and quality standards.<sup>27</sup>

### Global Benchmarking and Excellence.

PDO/PGI System of the European Union (EU).

The GI system of the EU is generally considered a world standard, which is characterised by:

- Double Layer of Protection: PDO (Protected Designation of Origin) when a strict association of origin and procedure is required; PGI (Protected Geographical Indication) when weaker ties are needed.
- Ex Officio Enforcement: Law enforcement agencies may take the initiative to intervene in averting and punishing violations within the country and its borders.
- Compulsory Quality Control: The Producers' group should establish and maintain inspection structures with periodic auditing and compliance assessments.
- Empowered Producer Groups: Recognised producer groups control, implement and create GI, hence increasing their role in the value chain.
- Market Integration: GI products are based on export promotion, tourism, and rural development strategies, which boost their economic influence.<sup>28</sup>

### Lessons for India

- Institutional Coordination: Establish a central coordinating organisation to oversee activities following registration and facilitate cooperation among various agencies.
- Quality Assurance: Establish and enforce quality control and inspection structures, making them statutory and subject to audit.
- Producer Empowerment: Build the capacity of producer groups and cooperatives in managing GIs, applying standards and negotiating access to the market.
- Market Development: Invest in branding, consumer awareness, and digital media for the internet and export.
- Data and Monitoring: Have strong Data collection, monitoring and evaluation systems to measure impact and policy.

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<sup>26</sup> Gargi Sharma "The Scope for GI Based Branding in Agricultural Products: An Overview" Published in International Journal of Trend in Scientific Research and Development (ijtsrd), ISSN: 2456-6470, Volume-5 | Issue-4, June 2021, pp.793 794.

<sup>27</sup> PTI, Strengthen quality control mechanisms in GI-tagged products: Experts to Government, The Economic Times (2024). <https://economictimes.indiatimes.com/news/economy/policy/strengthen-quality-control-mechanisms-in-gi-tagged-products-experts-to-government/articleshow/114078183.cms>.

<sup>28</sup> K. Barathova, DG Agriculture and Rural Development, Controls and enforcement of geographical indications in the EU, 2024. [https://ipkey.eu/sites/default/files/ipkey-docs/2024/IPKEY-LA\\_2024\\_Control-Enforcement-GIs\\_EU\\_Latarina-Barathova\\_EN.pdf](https://ipkey.eu/sites/default/files/ipkey-docs/2024/IPKEY-LA_2024_Control-Enforcement-GIs_EU_Latarina-Barathova_EN.pdf).

Since GI Commercialisation involves NGOs, Development Agencies, and the Private Sector, the roles of these three entities can be discussed.

### **Non-governmental Organisations and Development Agencies.**

Organisations like SEWA, PRADAN, Barefoot College and Kudumbashree have been very instrumental in:

- Capacity Building: E\_volunteering artisans and farmers in their skills advancement, financial literacy, and computer marketing.
- Market Access: Making aspects and activities of trade fairs, electronic commerce platforms, and export channels feasible.
- Legal Aid and Advocacy: Providing support on the GI registration, certification of authorised users and enforcement measures.
- Social Inclusion: Valuing women, marginalised and tribal communities, to be in a position to join and benefit from GI schemes.

### **Private Sector Initiatives**

- E-Commerce Platforms: GI products have been onboarded on companies like Amazon and ONDC, which facilitate interactions between producers and buyers.
- Branding and Promotion: Promotion has been executed with the assistance of product-specific logos, packaging, and storytelling, which private branding experts and marketing agencies have developed.
- Cluster Development: Cluster development has been enabled through cooperation between the government and businesses, facilitated by the formation of partnerships between the two. This has led to improvements in infrastructure and joint marketing efforts.

## **GI OUTCOMES DATA, MONITORING, AND EVALUATION FRAMES.**

### **Current Status**

- Registry Data: The GI Registry also maintains a record of registered GIs and authorised users; however, there is limited data available regarding the economic impact, benefit distribution, and compliance.
- Monitoring Initiatives: Some producer groups (e.g., the Tea Board of Darjeeling tea) have also adopted the trade-chain management systems and supply-chain audit.
- Evaluation Gaps: There is no systematic organisation of a nationwide-level monitoring and evaluation format to measure the socioeconomic implications of GI registration.<sup>29</sup>

### **Recommendations**

- Annual Reporting: Requirement Annual reporting of registered proprietors on volumes of production, authorised users and market performance.
- Digital Tracking: Implement QR codes, digital authentication, and traceability systems to track the flow of GI products and prevent counterfeiting.
- Impact Assessment: Conduct regular impact assessments, including surveys on producer incomes, employment, and community development indicators, to inform ongoing program evaluation.
- Transparency and Public Access: Publicly available data regarding the outcomes of GI to inform policy, research and stakeholder engagement.
- Mandate Inspection Structures: Amend the GI Act and Rules to impose statutory liability on all GIs in case of non-compliance by the inspection bodies.
- Enforcement Strengthening: Authorise officials to have ex officio enforcement powers, enhance punitive measures for infringements, and improve liaison with customs and market-surveillance services.
- Ease the Paperwork: Further ease registration and authorisation protocols, reduce paperwork, and support small producers with legal assistance.
- Form a National GI Board: Establish a nationwide coordinating authority to undertake post-registration oversight and coordination, as well as inter-agency coordination.
- Invest in Nationwide: This requires investment in country-wide awareness, skill-building programs, and digital literacy programmes.
- Create Producer Cooperatives, Self-Help, and Cluster Development Cooperatives: Invite and promote producer cooperatives, self-help groups, and cluster development programmes.
- Invest in Branding: Design product-specific logos, standardise packaging and organise marketing campaigns.
- Encourage Online and Export Channels: Integrate GI products into e-commerce sites, export promotion councils, and tourism plans.

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<sup>29</sup> Tea Board, Darjeeling Tea - A Geographical Indication (GI), 2010.

[https://www.wipo.int/edocs/mdocs/geoind/en/wipo\\_geo\\_lim\\_11/wipo\\_geo\\_lim\\_11\\_11.pdf](https://www.wipo.int/edocs/mdocs/geoind/en/wipo_geo_lim_11/wipo_geo_lim_11_11.pdf).





- Support Market Access: Assist at trade fairs, buyer-seller meetings, and global exhibitions.
- Data-Driven Frameworks to Work: Instituting strong data collection, monitoring, and evaluation mechanisms to monitor GI outcomes and make policies.
- Annual Impact Assessments: Conduct regular reviews of the economic, social, and cultural impacts, taking into account the distribution of benefits and the inclusion of all stakeholders.