



## Himachal Pradesh National Law University, Shimla (India)

Journal Articles

HPNLU Journal of IPIR

### Volume: I (2024)

Geographical Indication In Himachal Pradesh: Cultivating Economic Growth And Preserving Cultural Heritage

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ISSN: XXXX-XXXX

### Recommended Citation:

Hari Chand & Surya Dev Bhandari, Geographical Indication In Himachal Pradesh: Cultivating Economic Growth And Preserving Cultural Heritage, I HPNLU IPIR. 53 (2024)

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# GEOGRAPHICAL INDICATIONS IN HIMACHAL PRADESH: Cultivating Economic Growth and Preserving Cultural Heritage

*Hari Chand<sup>1</sup> & Surya Dev Singh Bhandari<sup>2</sup>*

## Abstract

*The research paper titled Geographical Indications in Himachal Pradesh: Cultivating Economic Growth and Preserving Cultural Heritage attempts to study the role and impact of Geographical Indications on the economy and preservation of the culture of Himachal Pradesh. GIs identify the products with completely different qualities of specific areas, which are crucial for economic development and preservation of cultural heritage. This paper investigates the importance of GIs in Himachal Pradesh by focusing on products such as Chamba Rumal, Kinnauri shawl, Kullu shawl, Kangra painting, Lahaul woollen socks, and egloves, etc. It studies the contribution to the state economy, challenges and opportunities associated with GIs by emphasising the need for policy measures to harness their maximum potential benefits. The diverse geography, fertility of the soil and rich artisanal societies shape the identity and economy of Himachal Pradesh significantly. Geographical Indications (GIs) are important for protecting the exclusivity and heritage of goods coming from particular areas. GIs preserve the significance and unique characteristics of products by highlighting their connection to particular regions. In Himachal Pradesh, the policy framework including the laws that regulate Geographic Indications (GIs) is per international treaties such as TRIPS which highlight the safeguarding of consumers and traditional handicrafts workers. Himachal Pradesh's dedication to preserving its cultural heritage is shown by the efforts to register new potential GIs, such as Chamba Thaal, Sirmauri Loeya, and Pahari Topi. The government tries to popularise these GIs by arranging exhibitions, partnerships and awareness programs which are very important for their market access and financial sustainability.*

**Key Words:** *Geographical Indications, market access, economic growth, Chamba Rumal, Kangra Painting, cultural heritage*

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## INTRODUCTION

Himachal Pradesh situated in the lap of the Himalayas has a captivating cultural and geographical diversity with the rich heritage of handicrafts. Himachal has abundant agriculture, fertile plains, snow-capped mountains and lush valleys with a wealth of natural resources that add beauty to the state. Himachal Pradesh has rich apple orchards in the upper areas of the state and fertile plains in the lower areas which diversifies the state naturally. Its river system and lakes enhance the natural charm. The state is more dependent on the agriculture sector for livelihood with more than 70 per cent workforce engaged in agriculture and contributes around 30 per cent to the Gross State Domestic Product. The total irrigated area is 70 lakh hectares.<sup>3</sup>

Geographical Indications (GIs) serve as legal tools to protect and preserve products originating from specific geographical regions. They are crucial in safeguarding the unique qualities, reputation, and heritage associated with these products. A geographical indication (GI) is a sign used on products that have a specific geographical origin and possess qualities or a reputation that are due to that origin.<sup>4</sup> GIs denote a product's origin from a particular geographical area, attributing its unique qualities, reputation, or characteristics to that specific location. These indications highlight the inherent qualities or characteristics of a product, which are exclusively or essentially attributable to the geographical environment, including natural factors and human expertise. Geographical indications are typically used for agricultural products, foodstuffs, wine and spirit drinks, handicrafts, and industrial products.<sup>5</sup>

Geographical Indications (GIs) in Himachal Pradesh carry a rich historical narrative and cultural legacy, contributing significantly to the state's identity, economic sustenance, and the preservation of traditional craftsmanship and agricultural practices. Their recognition as GIs not only protects their authenticity but also amplifies their significance on both local and global stages. This research paper examines the role and impact of Geographical Indications (GIs) on the economy and cultural preservation of Himachal Pradesh.

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<sup>3</sup> NITI AAYOG available at <https://naturalfarming.niti.gov.in/himachalpradesh/#:~:text=Agriculture%20provides%20direct%20employment%20to,area%20is%2070%20lakh%20hectares> (last visited Nov. 05, 2023).

<sup>4</sup> WIPO available at [https://www.wipo.int/geo\\_indications/en/](https://www.wipo.int/geo_indications/en/) (last visited Nov. 05, 2023).

<sup>5</sup> *Ibid*

## **ECONOMIC IMPACT OF GEOGRAPHICAL INDICATIONS (GIS) IN HIMACHAL PRADESH**

Development has been rightly conceptualized as a process, which improves the quality of the life of the people and it is certain that development points towards prosperity and advancement.<sup>6</sup> Over the last three decades, Geographical indications (GIs) have emerged as a collective Intellectual Property Rights (IPR) in both developed and developing countries. The number of GIs is estimated to be more than 10 000 in the world with a trade value of more than 50 billion US dollars.<sup>7</sup> Well-known examples of GIs include Darjeeling tea, Bordeaux wine, Parmigiano-Reggiano, and Comte cheese.<sup>8</sup> Uruguay Round has been remarkable in introducing The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) and The Agreement on Trade-Related Investment Measures (TRIMs) which was followed by the World Trade Organization WTO. GIs amplify the market value of these products, enabling growers to command premium prices both domestically and internationally. The recognition of these apples as GIs has opened doors to global markets, attracting buyers seeking high-quality, authentic produce. This enhanced market access has increased export potential, allowing Himachali apples to compete on an international level, thereby bolstering the state's export revenue.

The GIs associated with agricultural products like apples and tea have brought about economic revitalization in regions where cultivation is prominent. They have facilitated infrastructure development, improved agricultural practices, and increased investment in processing facilities. This, in turn, has led to increased incomes for farmers, created job opportunities, and sustained the livelihoods of numerous families dependent on these industries.

The GI status provides these products with a unique selling proposition, distinguishing them from their generic counterparts. This differentiation allows for value addition, enabling growers and producers to market their products as premium, high-quality goods. As a result, they can fetch better prices, improving the overall income of producers and contributing to the economic growth of the state.

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<sup>6</sup> Hari Chand, Social Sector Development in INDIA, 1, (2022).

<sup>7</sup> Daniele Giovannucci *et.al.*, GUIDE TO GEOGRAPHICAL INDICATIONS: LINKING PRODUCTS AND THEIR ORIGINS 1 (2009).

<sup>8</sup> Aliou Baguissa Diallo, EVALUATION OF THE ECONOMIC IMPACT OF GEOGRAPHICAL INDICATIONS: THREE CASE STUDIES 20 (2017).

GIs do not only affect agricultural production, but it is beyond that. It includes the entire value chain which includes marketing, processing, and packaging. The creation of more employment opportunities in different sectors linked to GIs is the result of the recognition of acknowledgement of GIs. Further, GIs offer alternate sources of income to village areas by reducing the burden on the agricultural sector. GIs encourage sustainable development by promoting eco-friendly output of goods which promotes the viability of these industries in the long run by protecting the environment.

GIs also have an economic impact on the economy of rural areas. These attract tourists from different parts of the globe especially those who want unique goods such as Chamba Rimal, Kangra Painting etc. This promotes local economies and has a significant effect on the revenue generation of rural economies.

The recognition of Geographical Indications in Himachal Pradesh has proven to be a catalyst for economic growth, enhancing market access, improving livelihoods, and promoting sustainable development across various sectors.

## **LAWS RELATING TO GI**

The social contract philosophers of medieval Europe in general and England in particular like Thomas Hobbs, John Locke, and J. J. Rousseau (French) saw the protection of property as one of the edifices for the formation of the Byzantine state. Protection of property was one among the other factors that caused the transition from a state of nature *via* social contract. Even before the formation of the modern welfare state based on the policies of Beveridge's report, the police states of the early modern era were also mandated to fulfil the role of protection against foreign aggression and maintenance of internal law and order. Herein, also there is the facet of the protection of property within the role of police state. The concepts of *Usus*, *Fructus*, and *abusus* are one of the bases of ancient understanding of property law. The three elements reflect the three distinct facets of property rights wherein firstly, *usus* is the right to use the property, secondly, *Fructus* is the right to collect the fruits of the property and lastly, *abusus* connotes the right to recover the capital gain when the property is sold.

The modern era with the rise of economic order, and technological progress saw the recognition of intellectual property rights. Before 1999, there was no specific law on Geographical Indications in India. The World Trade Organization took the lead in this regard and laid the basis for the Trade-Related Aspects of Intellectual Property Rights agreement.

India is also a member country of the World Trade Organization and to comply with the TRIPS mandate the Indian state took the necessary legislative measures.

In general, as per TRIPS, a country is under no onus to protect the GI of another if the concerned GI is devoid of any active protection in its home country. However, even if a nation fails to protect its own GI this fact does not absolve it of the liability to protect the GI of other countries. The Geographical Indications of Goods (Registration and Protection) Act, 1999 is a comprehensive Indian legislation with regards to GI and it is consonant with the spirit of TRIPS. The said legislation came into effect on 15 September 2003. Internationally, as per Articles 1 (2) and 10 of the landmark Paris Convention for the Protection of Industrial Property, geographical indications are within the ambit of Intellectual Property Rights.

The World Trade Organization aimed to protect consumers from any unwanted deception and to benefit the traditional artisans. Some good examples of GI are Scotch whisky, Havana Cigar, French Wine and perfumes internationally, and Hyderabad Biryani, Banaras Silk, and Golkonda Toys nationally. Unlike trade mark which is the trader's property, GI is the property of the community. Sec. 2(1) (e) of the Geographical Indications of Goods (Registration and Protection) Act, 1999 defines the terms GI. The Indian law explicitly extends the protection of GI to the goods that are manufactured goods apart from agricultural products. The motivation or *raison d'être* is to protect the reputation of the manufactured goods of a place which has certain characteristics and unique qualities due to its specific place of origin.

The idea in essence is that the name of the good conveys and takes with itself a guarantee of worth and distinctiveness. This worth or quality is attributable to the origin of the good in a particular defined geographical region.

Sec. 2(f) of the Geographical Indications of Goods (Registration and Protection) Act, 1999 defines goods, Sec. 2 (g) defines indication, and Sec. 2 (k) defines producers. The Act also creates a statutory body under Sec. 5 which provides for the establishment of a GI registry and branch offices, the same is headquartered in Chennai. Sec. 18 provides the duration of protection and renewal. The initial period of registration for registered goods is ten years the same could be renewed from time to time upon the payment of the fee. The rights conferred by the registration are provided under Sec. 21. Whereas, Chapter Seven of the Act deals with the various offences for which both pecuniary and penal punishment can be accorded. In chapter seven Sec. 40 deals with the offence of selling goods to which false GI is applied and Sec. 42 deals with falsely representing a GI as registered. Offences ensure that there is no

unfair competition. Hence, registration serves the dual purpose of serving as evidence of the validity of indication and for the ascertainment of ownership.

Hence, in light of the aforementioned, it could be safely stated that the legislation serves three objectives. First, it protects the interest of producers, and manufacturers of such goods, second, it prohibits any unlawful misuse of GI so that consumers are protected from deception and last, it plays a vital role in promoting GI goods for local and export markets.

## HIMACHAL PRADESH AND GI

The state of Himachal is blessed with a rich culture; diverse geography and eventful history even though the state was not historically politically unified and a plethora of small states led by the respective hill chiefs of various clans were in vogue. Each hill state had a distinct dialect, and tradition hence, a health base for many traditional locally produced products was created. Even though the trade was limited due to the low capital base of these petty hill states combined with tough terrain and the absence of trading communities in the upper region. Hence, an environment for unique products was historically present.

As of now the prestigious GI status with regards to manufactured products has been accorded to Chamba Rumal, Kinnaur shawl, Kullu shawl, Kangra painting, Lahaul woollen socks, and egloves.<sup>9</sup> Apart from the aforementioned, there are multiple agricultural products for which GI has been accorded but the same is beyond the scope of this paper. The state government and its citizenry have been taking active initiative whereby the GI status registration process for manufactured products of, among others, Chamba metal craft i.e. Chamba “thaal”, Himachali cap, Sirmauri Loeya, and Kinnauri ornaments is under consideration with the Registrar of Geographical Indication, Chennai.<sup>10</sup> The lead taken by the state government has been consistent across party politics recently, Chief Minister Sukhvinder Singh Sukhu noted

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<sup>9</sup> Naresh K Thakur *Himachal aims GI tag for Chamba ‘thaal’, Salooni maize*, HINDUSTAN TIMES, Mar 02, 2022 available at <https://www.hindustantimes.com/cities/chandigarh-news/himachal-aims-gi-tag-for-chamba-thaal-salooni-maize-101646164495929.html> (last Visited Nov. 19, 2023).

<sup>10</sup> Anonymous *Himachal Pradesh’s unique Kangra tea registered for GI tag with European Union*, THE HINDU May 19, 2023 available at <https://www.thehindu.com/news/national/other-states/himachal-pradeshs-unique-kangra-tea-registered-for-gi-tag-with-european-union/article66866009.ece> (last Visited Nov. 19, 2023).



that the GI tag to the Himachali cap and Kinnauri apple was under consideration.<sup>11</sup> The government is also focusing on agricultural products like Thangi of Pangi, Chamba Chukh, Karsog Kulth, and Rajmah of Bharmour.<sup>12</sup>

With regard to the state of Himachal, the responsibility for fulfilling and aiding the procedure for getting a GI tag is upon the H.P. Patent Information Center, which is a component of the State Council of Science, Technology & Environment, situated at Kasumpti, Shimla. The government has ensured that ignorance of the laity does not cause any loss to the state. As noted above the application for GI tag files is made by the H.P. Patent Information Centre on behalf of any association of persons, producers, or organization in the State of H.P.<sup>13</sup>

Hence, it is reflected that the government of Himachal Pradesh has been very active vis-à-vis the protection of intellectual property. This can be gauged by the factum that this small Himalayan state was the first state of the nation to devise a policy for Geographical Indications registration. This policy formulation aimed to protect indigenous products, development of markets, and augmentation of income. Over time, a niche space in the lucrative overseas market could also be developed. It is inevitable that this protection would also in the fullness of time ensure the preservation of the traditional goods, and increase the welfare of the local artisans and the enterprising traders. Traditionally these goods were made only by certain caste groups and the knowledge was handed down the family line. These were similar to the guilds present in Europe. The production of these goods has to be viewed within the scope of the erstwhile *jajmani* system.

**Chamba Rumal** – Linguistically diversity of the region is reflected from the fact that the expression *Rumal* is of *Farsi* i.e. Persian genesis. Its English translation would be a handkerchief. Chamba *rumal* reflects the high-water marks of local embroidered work. The base material for the art form is the world-renowned fine muslin cloth of hand-spun 'khaddar'.

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<sup>11</sup>Anonymous *GI tag to Himachali cap and Kinnauri apple under consideration: Sukhvinder Singh Sukhu*, THE INDIAN EXPRESS May 19, 2023 available at <https://indianexpress.com/article/cities/chandigarh/gi-tag-to-himachali-cap-and-kinnauri-apple-under-consideration-sukhvinder-singh-sukhu-8617712/> (last Visited Nov. 19, 2023).

<sup>12</sup> Gagandeep Singh Dhillon *Explained: Why Himachal Pradesh wants 'Geographical Indication' status for five products*, THE INDIAN EXPRESS Dec. 10, 2020 available at <https://indianexpress.com/article/explained/himachal-pradesh-wants-gi-status-for-five-products-here-is-why-7093919/> (last Visited Nov. 19, 2023).

<sup>13</sup> HIMACHAL PRADESH COUNCIL FOR SCIENCE, TECHNOLOGY & ENVIRONMENT available at <https://himcoste.hp.gov.in/Patent%20Information%20Centre/Pdf/GIs%20of%20H.P.pdf> (last Visited Nov. 19, 2023).

The art was at its peak during the seventeenth and eighteenth centuries. The development and impact of the *bhakti* tradition in the medieval era in the Indian subcontinent formed the edifice of the inspiration for the art. Various avatars of Vishnu especially Lord Ram and Lord Krishna were popular. This reflects the revival of Vaishnavism in the Pahari Rajput states.<sup>14</sup> Themes were also based on Ras- Leela, Shiv Parvati, Ganesha with *ridhi sidhi*, Puranas, Ramayan, Mahabharata, elopement of Rukmani with Krishna, and Kamadeva. Further, there are also *rumals* based on secular themes like marriage processions with *palanquins* and bearers of instruments like *shehnai*, *tuhri* and *nagars*, and hunting.<sup>15</sup> The art also has the *sui genre* element of “*dorukha-tanka*” which is the double satin stitch. This double stitch is absent across India and this double stitch ensures that embroidery is equally graceful on both sides of the *Rumal*. Some authors have noted that the style was the result of the application of Afghan and Persian embroidery techniques to Rajput designs.<sup>16</sup> The *Rumals* were used as wedding gifts, dowry items, and even as walls hanging behind deities in temples.<sup>17</sup> The high degree of craftsmanship is reflected by the fact that the knot does not appear in the threads used in embroidery. The initial foundational outline was done using fine charcoal. The other way was to use a brush. These outlines were drawn by artists who were trained in the *Pahari kalam* styles. Chamba *Rumal* was registered Geographical Indications of Goods (Registration and Protection) Act, 1999 on 22 January 2007.

One of the most noteworthy specimens of Chamba *rumal* was gifted by Raja Gopal Singh of Chamba to the then-British Resident and today this gift is placed at the prestigious Victoria and Albert Museum, London.<sup>18</sup> The well-respected and learned Raja of Chamba Sir Bhuri Singh during his visits also took the Chamba *rumals* to the Delhi Darbars of 1907 and 1911.<sup>19</sup> The art was made famous by the efforts of Dr. J. P. Vogel (Dutch) and Raja Sir Bhuri Singh. On 31 October 2008, Chamba *Rumal* was decelerated as a world heritage by UNESCO.

**Kangra Painting** – In Himachal, the Katoch state of Guler (Haripur) under Raja Govardhan Singh and later his son Raja Prakash Singh was generous enough to give asylum to the refugee artist from the fast-collapsing Mughal Court. Post death of Aurangzeb in 1707 the empire was

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<sup>14</sup> Rajender Attri, HIMACHAL PRADESH: A HIMALAYAN DREAMLAND 468 (2015).

<sup>15</sup> *Ibid.*

<sup>16</sup> Parmod Sharma, HIMACHAL THE PARADISE OF INDIA 409 (2018).

<sup>17</sup> *Ibid.*

<sup>18</sup> J. M. Balokhra, THE WONDERLAND HIMACHAL PRADESH 326 (2017).

<sup>19</sup> *Ibid.*

in steep decline and artists were among the first victims of the decaying state of finances of the empire.

Later, the most significant patron of the art was Raja Sansar Chand Katoch (1776-1824). He was barely ten years old when his father Raja Taig Chand passed away nevertheless undeterred over time, he recovered the citadel of Kangra and even annexed large parts of modern-day Himachal. He was an ardent follower of Lord Krishna and the religious text Bhagvata Purana he commissioned a plethora of paintings based on these two subjects. Sujampur Tira was the nerve centre of Kangra *Kalam*, with the Nardeshwar temple acting as the cradle of the art. The painters focused on delicate lines and soothing cool colours. The sources of colors were natural with minerals and vegetables being the primary sources and these colors portrayed enamel-like luster. The paints were done on hand-made paper known in popular parlance as the Sialkoti paper.<sup>20</sup> The themes of Baramasa, Bhakti cult and nayaka nayikas were popular. The central theme of love i.e. *shringar ras* was beautifully reflected in Krishna dancing in the exquisite woodlands with distant mountains and at the center of attention of the maiden's eye.

Sri Lankan Painter Anand Coomaraswamy remarked for Kangra Painting

*“What Chinese art achieved for landscape, is here accomplished for human love.”<sup>21</sup>*

The noted researcher J. C. French who in 1931 wrote his famous work *The Himalayan Art* remarked on the beauty of *Pahari* Kangra painting -

*“The artists of Guler and Kangra had the colours of the dawn and rainbow on their palettes”<sup>22</sup>*

To sum it up M. S. Randhawa who is an undisputed authority on the art saw it as an amalgamation of Mughal techniques, with inspiration from vaishvanism, adorned with the charm of Sanskrit, beauty of the people of Kangra valley and the lovely landscapes. The element of love as noted above is reflected especially by the nervous but graceful female clinging to the confident and calming Krishna, at the prospect of overpowering dark clouds and rain.<sup>23</sup> There is a focus on the beauty of nature wherein in some paintings Krishna and

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<sup>20</sup> *Supra* note 14.

<sup>21</sup> KANGRA ARTS PROMOTION SOCIETY available at <https://kangraarts.org/kangra-paintings/> (last Visited Nov. 19, 2023).

<sup>22</sup> *Supra* note 16, Parmod Sharma, at 404.

<sup>23</sup> *Supra* note 14, Rajender Attri, at 458.

Radha are portrayed as admiring the flight of cranes.<sup>24</sup> Female beauty is portrayed by features like long beautiful eyes, long hair, thin waist; upright breasts, and hand with mehendi, etc.<sup>25</sup> Noteworthy painters were Fattu, Nandu, Huzuri, Lachman Singh, and Parkhu, among others. Nandu's fresco still adorns the famous Lakshminarayan temple in Kangra District. Kangra *Kalam* started to lose its glory after the death of Raja Sansar Chand in 1824. Kangra Painting was registered under the Geographical Indication of Goods (Registration and Protection) Act, 1999 on 2nd April 2012 obtaining Geographical indication No. 381.

**Kinnauri Shawl** – The modern-day district of Kinnaur was part of the erstwhile princely state of Rampur. There was a flourishing trade with Tibet since the ancient era and goat, and sheep rearing was a part of the pastoral life of this climatically challenging region. Hence the raw material and climatic conditions that called for the production of shawls were present. Shawl in the Kinnauri dialect is called *Chhali*.

The shawls are distinct in their makeup as per the genders wherein, the males have plain shawls and females wear shawls with designed patterns. These shawls for females also have complex graphical pattern and Buddhist symbols which reflects the artistic taste of the laity. Further, there is an additional element of symbolism whereby the theological Buddhist symbols are made using five colours which are white, yellow, red, green, and blue these colours are representative of the five elements that are, water, earth, fire, ether, and air respectively. The geometric sign is also reflective of the influence of Central Asian elements.<sup>26</sup> More often than not, Kinnauri shawls have all four sides decorated with patterned borders resultantly demanding higher labour and making them more expensive with regards to Kullu Shawls.<sup>27</sup> Kinnauri Shawl was registered under the Geographical Indications of Goods (Registration and Protection) Act, 1999 on 4 December 2008.

**Kullu Shawl** – Kullu District is today an ingrained part of the world tourist map. This is due to the breadth taking treks of, among others, Solang Nala, Pin Parvati, Manikaran, Hamat, the beautiful hill station of Manali and its surrounding hamlets, Atal tunnel which serves as an entrance to Lahaul and Ladakh, the notorious Rohtang Pass, Indigenous *devta* culture centered around Lord Rangunath and Kullu Dussehra, local cuisine like siddu and lastly the ever popular

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<sup>24</sup> *Supra* note 14, Rajender Attri, at 459.

<sup>25</sup> *Supra* note 16, Parmod Sharma, at 403.

<sup>26</sup> HIMBUNKAR available at <http://www.himbunkar.co.in/kinnaurishawls.html> (last Visited Nov. 19, 2023).

<sup>27</sup> *Ibid*

Kullu Shawls made popular by the effort of cooperative like Buttico and the vision of Vedram Thakur. Today, the shawl is not only made using traditional local wool but exotic merino, pashmina, and angora wool some of which are also locally produced. Traditionally, females used to wear *pattu* on top of their dresses. The *pattu* is large enough to cover the whole body of ladies. These were fixed using broaches of silver called *bummi*, and held together *via* a long ornamental chain. Further, these *pattu* were heavier, thicker, and coarser than their present incarnation. The *pattus* form the basis for the later development of Kullu shawl and refined *pattu* were introduced in the nineteen forties by the enterprising weavers who came from the princely state of Rampur-Busheher. It must be noted that a novel feature of the Kullu style is the horizontal bands that are present at the two lateral ends. Kullu Shawl was registered under the Geographical Indications of Goods (Registration and Protection) Act, 1999 on 10 December 2004<sup>28</sup>.

**Chamba Chappal** - These special forms of slippers have a royal heritage dating back to the erstwhile rulers of Chamba.<sup>29</sup> The interesting tale of the genesis of these famous leather embroidered Chappal goes back to the year 1808. The story goes that a proud princess, who was the sister of Pathania Raja, Raja Bir Singh of Nurpur in present-day Kangra District, was staunchly opposed to her proposed marriage with the monarch of Chamba Raja Charat Singh (1808-1844) even though Chamba was a much larger and better-defended state as the princes were told that the masses of Chamba wore crude shoes.

The Raja Jagat Singh of Nurpur had some centuries earlier attempted to extinguish the royal line of Chamba and the marriage was a symbol of the new friendly and supportive ties between the two princely states. Hence, Raja decided to send a family of cobblers from the Panj Baria village as part of the dowry to ensure that the issue of beautifully embroidered leather footwear for his sister does not become an issue. The descendants of that family verify this event from Panj Baria which till today are domicile of Chamba town and even to this date they are called Panj Baria. After, the introduction of this family the art of embroidery on leather over time developed, and the old habit of wearing only crude grass shoes was abandoned. Nevertheless, this art remained confined to use by the royalty. It was during the British Period that the art

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<sup>28</sup> *Supra* note 14.

<sup>29</sup> Ashwani Sharma, *Himachal Pradesh's Famed 'Chamba Chappals' And Lahauli Socks, Gloves Get GI Tag*, OUTLOOK NOV. 9, 2021 available at <https://www.outlookindia.com/website/story/india-news-himachal-pradeshs-famed-chamba-chappals-and-lahauli-socks-gloves-get-gi-tag/400227> (last Visited Nov. 19,2023).

gained mass recognition and access.<sup>30</sup> Hence, it was a gradual process whereby the art of leather embroidery developed its roots in Chamba. As for Raja Bir Singh of Nurpur the marriage served him well and he was protected by his powerful brother-in-law Raja Chattar Singh when he was imprisoned at Amritsar by the Sikh forces of Maharaja Ranjit Singh.

**Lahauli Knitted Socks and Gloves** – Andrew Wilson an early explorer of the region in 1873 aptly called Lahaul the ‘valley of glaciers’ in his book ‘Adobe of Gods’. It was the German protestant Moravian missionaries who introduced *Haman* in the region for the people to keep themselves warm during chilling winters. The historical account of socks and gloves is found only after the arrival of Moravian Missionaries in 1856. Lahauli sock is made in a systematic stepwise manner. The three components are first, cuff, second, leg, and lastly, heel. A Lahauli pair of socks is knit in parts, using four double-pointed needles.<sup>31</sup> There is the use of eight colours which are knitted in a pattern called ‘*dashi*’ Further; there are also seven or eight types of motifs that are used. The ‘*dashis*’ are made in a manner of four or five rows of distinct colours. The wives of the missionaries, notably Maria Heyde, set up the first organized knitting school in Keylong in 1862 to train the local women to make socks in German style.<sup>32</sup>

In the modern era, an excellent example of the role of non-governmental organizations in protecting the local culture can be found in the GI tag applications for Lahauli socks and gloves. The application was filled out by the government in partnership with ‘Save Lahaul Spiti Society’, a Non-Government Organization that is dedicated to the preservation of the culture of the District. Further, the NGO is working not only to preserve the culture but also the art and handicraft traditions of the tribal belt of Lahaul-Spiti.<sup>33</sup>

In this light even, the state government wants to formulate an enabling environment to make the economic ecosystem favourable for the growth of GI products. HIMCOSTE proposes to organize a workshop at Chamba and Keylong for the stakeholders of Chamba Chappal and Lahauli Knitted Socks and Gloves to formulate an Action Plan for the future strategy.

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<sup>30</sup> IPI INDIA available at <https://search.ipindia.gov.in/GIRPublic/Application/ViewDocument> (last Visited Nov. 19,2023).

<sup>31</sup> Anonymous, *Lahauli hand-knit socks, gloves given Geographical Indication status*, THE TRIBUNE, Nov. 5, 2023 available at <https://www.tribuneindia.com/news/himachal/lahauli-hand-knit-socks-gloves-given-geographical-indication-status-334568> (last Visited Nov. 19, 2023).

<sup>32</sup> *Ibid.*

<sup>33</sup> *Supra* note 29.

Further, to showcase the state's unique arts and natural wealth Himachal Council of Science Technology and Environment (HIMCOSTE) unveiled an exhibition of all the Geographical Indications products of Himachal Pradesh at Indira Gandhi State Sports Complex Shimla.<sup>34</sup>

Hence, there is a need to organize more conferences, exhibitions, events, and collaborations so that these goods are popularized. The state needs to create awareness in the market so that the large-scale production of these GI tag goods can be more remunerative. Further, a higher level of production will also create economies of scale for these goods.

## POTENTIAL GI

**Chamba Thaal** – Chamba district is already the source of two GI related to manufacturing i.e. the Chamba Rumal and the Chamba Chappal apart from the fact that a sub-school of Pahari painting also existed in Chamba state. Chamba thaal is another potential GI product for which the state government has taken the necessary steps. Chamba thaal is an example of metalwork that is made on brass plates. Brass is an alloy of zinc and copper. Just like the rumal, the first step is to make a sketch of the figure to be made on the plate on the paper. The paper is later attached to the brass metal sheet. Subsequently, these figures are delicately chiselled upon the plate. The size of thaal varies with the small ones only having one central image. In contrast, the larger ones have multiple images which more often than not reflect the ten incarnations of Lord Vishnu or nine incarnations of Goddess Durga. The single images are usually of Radha Krishna and Ganesh. Secular themes are also present which usually reflect local themes. Over time, copper reacts with the moist carbon dioxide in the air to form carbonates due to which it loses its exquisite shine similarly brass used for the thaal also over time loses its shine this can be rectified by rubbing the thaal with lemon juice.

It is remarkable and a positive step that the politicians and the leaders from the state are playing their part to encourage the recognition of this traditional art as Surender Thakur, the curator at the Bhuri Singh Museum in Chamba, noted that Chamba thaal gained popularity recently when Union minister of youth services and sports Anurag Thakur presented these artworks to the

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<sup>34</sup> Anonymous, *HIMCOSTE displays Himachal's GI art & natural products at Shimla*, HIMACHAL HEADLINES July 5, 2023 available at <https://www.himachalheadlines.com/lifestyle/himcoste-displays-himachals-gi-art-natural-products-at-shimla/> (last Visited Nov. 19, 2023).

Tokyo Olympics medal winners.<sup>35</sup> Even former Chief Minister Jai Ram Thakur had also presented a Chamba thaal to Prime Minister Narendra Modi during his visit to Himachal.<sup>36</sup>

**Sirmauri Loeya** – Sirmaur is the southernmost district of Himachal and it is also the home district of the architect of Himachal Dr. Yashwant Singh Parmar. Loeya are worn by men and it is a beautiful woolen plain gown without any decorations which is supported by the shoulder. Sleeves are rarely worn though no loeya is made without sleeves. Etymologically, the word Loeya is derived from lio which connotes a woollen blanket.<sup>37</sup> The Himachal Pradesh University has taken to lead to protect this heritage by using it in the convocation. The traditional Sirmauri loeya and pahari cap are used as academic robes in the convocation.<sup>38</sup>

**Pahari Topi** - In the local dialect of Kinnaur the cap is known as *Pang*. It is worn both by males and females, unlike loeya which is used by males. On celebratory occasions, people tuck *the tikema* flower on the cap. The colour of the cap reflects the region of its origin. The green colour is used in Kinnaur, Rampur and it is also worn in the neighbouring region of Tehri Garhwal, especially Jaunsar Bawal. The patterned cap is reflective of the Kullu region and it is also worn in the Seraj area of Mandi district. The Seraj area including Seraj proper of Mandi, inner and outer Seraj of Kullu is the core area where this cap is worn. At times *kalgi* is also used which symbolizes power and authority. At times, white-coloured seeds of the *oroxylum indicum* flower are also placed over the cap. Further, silver and gold wear is also at times affixed on the cap on special occasions.

Apart from the aforementioned, other manufactured products can be accorded GI tags. All this reflects the deep culture of the state.

## CHALLENGES IN GEOGRAPHICAL INDICATIONS (GIS) IMPLEMENTATION

One of the greatest challenges in GI implementation is maintaining the quality of the products regularly. The state has to ensure that its GI products meet the standards laid down legally and the quality of the goods. For this continuous monitoring is very crucial. Various factors may affect the quality of the product such as climate, fertility of soil, environment and quality of

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<sup>35</sup> *Supra* note 9.

<sup>36</sup> *Ibid.*

<sup>37</sup> Suresh Jokta, HIMACHAL GENERAL KNOWLEDGE 140 (2016).

<sup>38</sup> *Ibid.*



raw material used. Strong monitoring and robust mechanisms are a must so that quality may remain unaffected.

There are various intracultural bottlenecks in many parts of the state such as well-connected roads, proper storage facilities and processing of the goods. This state needs crucial investment in these areas and diverts resources to these areas. Skill development programs and technical education along with awareness programs are important requirements for enhancing the production and improving the quality of the products.

The proper blend of modern methods of production and traditional customs is very crucial to preserving traditional knowledge. Modernisation must not compromise the uniqueness and authenticity of GI Products.

## **OPPORTUNITIES FOR GEOGRAPHICAL INDICATIONS**

- a) When a product gets a GI mark it gives a special opportunity for the branding and expansion of the market of that product. Producers have a chance to sell the product in the domestic as well as international markets by using the uniqueness and popularity of the product that they get from the GI mark. Advertising on print and electronic media can bring affluent customers to the market of these products and they can pay even higher prices for these products.
- b) GI status of a product can enhance the value of the product and producers have a chance to enhance the price of the product. By spreading the information about the origin of the product, modifying the packaging and certifying the product producers have an opportunity to increase their profits.
- c) The use of a hybrid of technology with traditional knowledge in production, process and marketing can enhance the efficiency and effectiveness of the product. Technological advancements along with contemporary knowledge give opportunities to improve production methods by keeping the quality of the products intact.
- d) The products with GIs that are globally recognised can enhance the exports of a country like India which is more dependent on exports of primary articles and can reduce the balance of payments deficit. Bilateral and multilateral agreements between various groups can provide an opportunity in their markets which will earn foreign exchange to the country.
- e) Each country is trying to achieve sustainable development goals. These products generally do not harm the environment. If more products have GI tags and their

demand is raised through various methods such as marketing and the trend of the market then any country can easily stress more on sustainable development.

Overall, there is a wide scope for the expansion of the market of GI products despite infrastructural bottlenecks and issues of quality control by expanding the market, branding, use of modern technology, and sustainability in Himachal Pradesh. Government need to grab this opportunity through policy measures and agreements.

## **CONCLUSION**

Geographical Indications (GIs) serve as legal tools to protect and preserve products originating from specific geographical regions. They are crucial in safeguarding the unique qualities, reputation, and heritage associated with these products. Producers of a specific region are given exclusive rights to produce a certain good with the GI certification. The state of Himachal Pradesh has done a lot to preserve the culture of the state and addition to these products shows the concerted efforts of the various state Governments. These GIs make the state culturally unique in the country and worldwide. These symbols have a significant impact on the economy of the state. GIs have not only created job opportunities but also have rejuvenated businesses and reformed agricultural production. Besides boosting local trade GIs have also boosted international trade just because of their uniqueness and the quality of their products. Along with monetary and economic contributions GIs have also protected the rich cultural heritage of Himachal Pradesh. The legacy of Chamba Rumal has been a remarkable example of artistic brilliance over time. In addition to protecting the cultural heritage, GI also attracts tourists across the globe and promotes heritage tourism support to local people, especially artisans. Although on one hand there are various challenges associated with maintaining quality standards, infrastructural bottlenecks and establishing a balance between traditional and modern techniques, there are opportunities on the other hand to make a place in the international market, boost foreign trade, employment generation, development of local market etc. Harnessing the benefits of GIs, it is quite important to have concerted efforts such as improving the techniques of production, quality of the products, cost-effectiveness, overcoming infrastructural bottlenecks and promoting sustainable development. The Government need to work hard on policy formulation and implementation to grab the potential benefits of GIs.