



CHANAKYA LAW REVIEW (CLR)
Vol VI, Issue II July- December, 2025 pp 112-150



GI REGISTRATION POTENTIAL IN NORTH EAST STATES-ISSUES AND CHALLENGES

Topi Basar¹
Habung Kapa²

ABSTRACT

The North East States of India comprises of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Sikkim (hereafter NER). It is well known for its rich biodiversity, agricultural produce and traditional goods and products with unique and special characteristics attributed to the geographical factors pertaining to these regions. After the inception of the Geographical Indication Registration and Protection Act, 1999 the filing of GI applications has been steadily growing in several States of India along with a good number of registrations of GI tags. The GI trend in the Northeast has not been very promising. Interestingly it is considered to have huge potential for GI. This requires a deep understanding of the existing problems and challenges acting as a bottleneck to successful GI registration. This paper makes a thorough study of all GI applications from North East refused by the Registrar of GI which is quite high considering the quantum of application filed being low. An attempt is made to find the lacunas and probable solutions to augment the GI registration in North East.

Keywords: GI, NER, IPAB, TK, WIPO, IPR, NABARD, CBO, NERAMAC, ICAR,

Introduction

A geographical indication is a geographical name signifying that a product originates in a country or a specific locality where it has been traditionally produced. The GI possesses qualities, reputation and characteristics that are essentially attributable to that place of origin. The use of geographical indications is not limited to agricultural products. We may also highlight qualities of

¹ Dean Faculty of Law, Rajiv Gandhi University

² Ph.D. scholar

a product which are due to human factors associated with the place of origin of the products, such as specific manufacturing skills and traditions. A geographical indication points to a specific place, or region of production that determines the characteristic qualities of the product which originates from that place. It is important that the product derives its qualities and reputation from that place. The definition under Section 2(1)(e) of the GI Act itself makes it crystal clear that “reputation” as a standalone factor for recognition of a Geographical indication under the Act.³

The prestigious GI tag is granted for traditional products having a sufficient proven reputation with a historical background. GI tag is a great tool for creating marketing brands. The range of GI products is as diverse as agriculture, natural goods, food, manufactured and handicrafts.⁴ The process of GI registration entails umpteen preparation in the pre-stage, during pendency and post-stage of application, requiring a meticulous framing of a statement of case, proof of geographical origin or historical proof of written records, adequate description of the goods concerned, highlighting their unique properties and attributes.

“Any association of persons or producers or any organization or authority established by or under any law for the time being in force representing the interest of the producers of the concerned goods, who are desirous of registering a geographical indication in relation to such goods shall apply in writing to the Registrar in such form and in such manner and accompanied by such fees as may be prescribed for the registration of the geographical indication.”⁵

The notable point here is that the applicant, as mentioned above, must represent the interest of the producers of the concerned goods. It has been commonly found that producers of GI goods are not organized and lack awareness about GI registration. A lot of hand-holding is required to educate them about the prospects of GI and preparation thereof. Firstly, producers of GI goods should form a registered body and establish byelaws and regulations governing quality and standards. These

³ APEDA Vs. State of Madhya Pradesh and others (o A / 1, / 201.4 / Gr / CH dt.05.02.2016).

⁴ Section 2 (e) “geographical indication”, in relation to goods, means an indication which identifies such goods as agricultural goods, natural goods or manufactured goods as originating or manufactured in the territory of 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.

⁵ The Geographical Indications of Goods (Registration and Protection) Act, 1999 No.48 of 1999, Sec. 11 (1).

pre-registration processes are quintessence for filing the application. Granting of a GI tag is commercially significant to the State; hence, the government should go the extra mile in promotion, awareness and training necessary for GI and its sustenance.

Methodology

The research conducted adopts doctrinal research supplemented by descriptive as well as quantitative analyses, which included primary data collected from the official government website where all the content of geographical indication applications is owned, updated and maintained by Intellectual Property India, and the secondary data included references, journals, research papers, articles and the internet through various websites, etc.

For data analysis of the primary data, the researcher has used Microsoft Excel and Google Sheets, which include charts and graphs. For citing sources bluebook 19th edition citation format has been used for the research paper.

Geographical Indications in North East States: Current Status

Table 1. Details of Registered GI goods/products from the North East States up to July 2024⁶

Sl.no.	Application No.	Goods Registered	Classification of goods- Name of the classes	Applicant	Facilitator	State
1	375	Arunachal Orange	Horticulture Class-31	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	Arunachal Pradesh

⁶ The table 1 demonstrates the current status of GI registration pertaining to North East States. It is to understand the types and category of products that qualified for GI and details about applicant and concerned facilitator.

2	625	Idu Mishmi Textiles	Textiles Class-25	Idu Mishmi Cultural and Literary Society (IMCLS)	Idu Mishmi Cultural and Literary Society (IMCLS)	Arunachal Pradesh
3	803	Arunachal Pradesh Khaw Tai (Khamti Rice)	Agriculture Class-31	Namsai Organic Spices and Agricultural Producer Company Limited	1. NABARD, Arunachal Pradesh and 2. Department of Agriculture, Government of Arunachal Pradesh	Arunachal Pradesh
4	808	Arunachal Pradesh Apatani Textile	Textiles and textile goods Class-24 & 25	Zeet-Zeero Producer Company Limited	1. Department of Textile and Handicraft, Government of Arunachal Pradesh, 2. NABARD, Arunachal Pradesh	Arunachal Pradesh
5	809	Arunachal Pradesh Yak Churpi	Food Stuff Class-29	ICAR National Research Centre on Yak (ICAR- NRC)	1. NABARD, Arunachal Pradesh and 2. Department of Animal Husbandry, Veterinary & Dairy Development, Government of	Arunachal Pradesh

					Arunachal Pradesh	
6	810	Arunachal Pradesh Tangsa Textile Product	Textiles and textile goods Class-24 & 25	Nongtham Handloom Cluster Producer Company Limited	1. NABARD, Arunachal Pradesh and 2. Department of Handloom and Handicraft, Government of Arunachal Pradesh	Arunachal Pradesh
7	811	Arunachal Pradesh Monpa Textile Products	Textiles and textile goods Class-24 & 25	Thembang Multi-Purpose Cooperative Society Limited	1. NABARD, Arunachal Pradesh and 2. Department of Handloom and Handicraft, Government of Arunachal Pradesh	Arunachal Pradesh
8	848	Arunachal Pradesh Handmade Carpet	Handicraft Class-27	Choephelling Tibetan Service Cooperative Society Limited	1. Department of Textile & Handicrafts, Government of Arunachal Pradesh and 2. NABARD, Arunachal Pradesh	Arunachal Pradesh

9	849	Arunachal Pradesh Wancho Wooden Craft	Handicraft Class-20	Directorate, Department of Textile & Handicrafts at Government of Arunachal Pradesh	1. NABARD, Arunachal Pradesh and 2. Ophan Tinu Transport Society	Arunachal Pradesh
10	854	Arunachal Pradesh Nyishi Textile	Textiles and textile goods Class-24 & 25	All East Kameng Weavers & Artisans Cooperative Society Limited	1. Department of Handloom and Handicraft, Government of Arunachal Pradesh and 2. NABARD, Arunachal Pradesh	Arunachal Pradesh
11	855	Arunachal Pradesh Adi Kekir (Ginger)	Agriculture Class-31	Lower Dibang Valley Organic Ginger Producer Company Limited	1. Department of Horticulture, Government of Arunachal Pradesh and 2. NABARD, Arunachal Pradesh	Arunachal Pradesh
12	861	Arunachal Pradesh Monpa Homemade Paper	Handicraft Class-16	Youth Action for Social Welfare	1. Department of Textile and Handicraft, Government of Arunachal Pradesh and 2. NABARD,	Arunachal Pradesh

					Arunachal Pradesh	
13	934	Arunachal Pradesh Adi Textile	Textiles and textile goods Class-24 & 25	Dite Mopang Welfare Society	1. Department of Textile and Handicraft, Government of Arunachal Pradesh and 2. NABARD, Arunachal Pradesh	Arunachal Pradesh
14	935	Arunachal Pradesh Singpho Phalap (Singpho Tea)	Agriculture Class-30	Singpho Development Society	1. Department of Agriculture, Government of Arunachal Pradesh and 2. NABARD, Arunachal Pradesh	Arunachal Pradesh
15	938	Arunachal Pradesh Galo Textile	Textile Class-24	Galo Welfare Society	1. Department of Textile and Handicraft, Government of Arunachal Pradesh and 2. NABARD, Arunachal Pradesh	Arunachal Pradesh
16	1004	Arunachal Pradesh Adi Apong	Manufactured Goods Class-30	Adi Bane Kebang	1. Department of Food, Government of	Arunachal Pradesh

					Arunachal Pradesh and 2. NABARD, Arunachal Pradesh	
17	1056	Arunachal Pradesh Dao (Sword)	Manufactured Goods Class-08	Arunachal Vikas Ebum Shiksha Sangataan	1. Department of Textile and Handicraft, Government of Arunachal Pradesh and 2. NABARD, Arunachal Pradesh	Arunachal Pradesh
18	1068	Arunachal Pradesh Angnyat Millet	Agriculture Class-31	Donyi Polo Welfare Society	1. Department of Agriculture, Government of Arunachal Pradesh and 2. NABARD, Arunachal Pradesh	Arunachal Pradesh
19	1069	Arunachal Pradesh Marua Apo (Marua Millet Beverage)	Manufactured Goods Class-32	All Pei Welfare Association	1. Department of Food & Beverage, Government of Arunachal Pradesh and 2. NABARD, Arunachal Pradesh	Arunachal Pradesh

20	1070	Arunachal Pradesh Tai Khamti Textile	Textile Class-24	Tai Khamti Heritage and Literature Society	1. Department of Textile and Handicraft, Government of Arunachal Pradesh and 2. NABARD, Arunachal Pradesh	Arunachal Pradesh
21	55	Muga Silk of Assam	Handicraft Class-23, 24, 25, 27, 31	Patent Information Centre	Assam Science Technology and Environment Council (ASTEC)	Assam
22	115 & 118	Assam Orthodox	Agriculture Class-30	Tea Board of India	TEA BOARD, Govt. of India	Assam
23	435	Karbi Anglong Ginger	Agriculture Class-30	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	Assam
24	438	Tezpur Litchi	Agriculture Class-31	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	Assam
25	439	Joha Rice of Assam	Agriculture Class-30	1. Assam Agricultural	Assam Agricultural University	Assam

				University and 2. Seuj Satirtha		
26	558	Boka Chaul	Agriculture Class-30	1. Lotus Progressive Centre (LPC), 2. Centre for Environment Education (CEE)	1. Lotus Progressive Centre (LPC), 2. Centre for Environment Education (CEE)	Assam
27	609	Kaji Nemu	Agriculture Class-31	CRS-NA- DIHING NEMU TENGA UNNAYAN SAMITY	Assam Agricultural University	Assam
28	572	Chokuwa Rice of Assam	Agriculture Class-30	Seuj Satirth	Assam Agricultural University.	Assam
29	643	Judima	Manufactured Class-33	Managing Trustee, Youth Association for Development & Empowerment (YADEM)	Dr. K. K. Sarma, Professor, Dept. of PBG and Coordinator, IPR cell, Assam Agricultural University, Jorhat, Assam	Assam
30	594	Gamosa of Assam	Textile Class-24	Institute of Handicraft Development	Assam Agricultural University” and PIC - ASTEC.	Assam
31	939	Majuli Mask of Assam	Handicraft Class-20	Kristir Kothia	NABARD, Assam	Assam

32	940	Majuli Manuscript Painting	Handicraft Class-19	Assam Majuli Handicraft Trust	1. NABARD, Assam and 2. Ayang Charitable Trust	Assam
33	959	Bodo Dokhana	Textile Class-26	Association of Bodo Traditional Weaver	Bodo Culture and Heritage Preservation Board (BCHPB)	Assam
34	960	Bodo Eri Silk	Textiles and textile goods Class-23 & 24	Association of Bodo Traditional Weaver	Bodo Culture and Heritage Preservation Board (BCHPB)	Assam
35	961	Bodo Jwmgra	Textile Class-24	Association of Bodo Traditional Weaver	Bodo Culture and Heritage Preservation Board (BCHPB)	Assam
36	962	Bodo Gamsa	Textile Class-24	Association of Bodo Traditional Weaver	Bodo Culture and Heritage Preservation Board (BCHPB)	Assam
37	963	Bodo Keradapini	Agriculture Class-31	Bodo Ethnic-Agro Food Producer's Association	Bodo Culture and Heritage Preservation Board (BCHPB)	Assam
38	965	Bodo Thorka	Handicraft Class-15	Bodo Musical Artisan's Association	Bodo Culture and Heritage Preservation Board (BCHPB)	Assam
39	971	Bodo Gongar Dunjia	Agriculture Class-31	Bodo Ethnic - Agro Food	Bodo Culture and Heritage	Assam

				Producer's Association	Preservation Board (BCHPB)	
40	972	Bodo Kham	Handicraft Class-15	Bodo Musical Artisan's Association	Bodo Culture and Heritage Preservation Board (BCHPB)	Assam
41	972	Bodo Serja	Handicraft Class-15	Bodo Musical Artisan's Association	Bodo Culture and Heritage Preservation Board (BCHPB)	Assam
42	973	Bodo Sifung	Handicraft Class-15	Bodo Musical Artisan's Association	Bodo Culture and Heritage Preservation Board (BCHPB)	Assam
43	975	Bodo Khardwi	Agriculture Class-29	Association of Traditional Food Products	Bodo Culture and Heritage Preservation Board (BCHPB)	Assam
44	977	Bodo Gongona	Handicraft Class-15	Bodo Musical Artisan's Association	Bodo Culture and Heritage Preservation Board (BCHPB)	Assam
45	978	Bodo Jotha	Handicraft Class-15	Bodo Musical Artisan's Association	Bodo Culture and Heritage Preservation Board (BCHPB)	Assam
46	979	Assam Jaapi	Handicraft Class-20	Navoday Handicrafts & Handloom Development Society	NABARD, Assam	Assam

47	980	Assam Asharikandi Terracotta Craft	Handicraft Class-21	Asharikandi Terrakotta Doll Making Samabai Samity Limited	NABARD, Assam	Assam
48	1001	Assam Missing Handloom Products	Handicraft Class-24	Institute of Handicraft Development	NABARD, Assam	Assam
49	1002	Assam Bihu Dhol	Handicraft Class-15	All Assam Bihu Dhul and other Traditional Musical Instruments Makers Development Trust	NABARD, Assam	Assam
50	1003	Assam Pani Meteka Craft	Handicraft Class-20	Gram Shree Sangha	1. NABARD, Assam 2. North Eastern Development Finance Corporation Limited, Guwahati	Assam
51	1013	Sarthebari Metal Craft	Handicraft Class-21	Assam Co- operative Bell- metal Utensils Manufacturing Society Limited	NABARD, Assam	Assam
52	371	Sharphee Lanphee	Handicraft Class-25	Department of Commerce & Industries	Department of Commerce &	Manipur

					Industries, Govt. of Manipur	
53	372	Wangkhei Phee	Handicraft Class-25	Department of Commerce & Industries	Department of Commerce & Industries, Govt. of Manipur	Manipur
54	373	Moirang Phee	Handicraft Class-25	Department of Commerce & Industries	Department of Commerce & Industries, Govt. of Manipur	Manipur
55	466	Kachai Lemon	Agriculture Class-31	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	Manipur
56	590	Tamenglong Orange	Agriculture Class-31	Manipur Organic Mission Agency (MOMA)	Directorate of Horticulture, Sanjenthong, Imphal, Manipur	Manipur
57	592	Hathei Chilli	Agriculture Class-30	Manipur Organic Mission Agency (MOMA)	Directorate of Horticulture, Sanjenthong, Imphal, Manipur	Manipur
58	602	Chak Hao	Agriculture Class - 30	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	Manipur

59	465	Khasi Mandarin	Agriculture Class-31	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	Meghalay a
60	437	Memong Narang	Agriculture Class-31	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	Meghalay a
61	741	Lakadong Termeric	Agriculture Class-30	Lakadong Turmeric Cooperative Union Limited	Directorate of Horticulture, Department of Agriculture & Farmers Welfare, Government of Meghalaya	Meghalay a
62	1094	Meghalaya Garo Dakmanda Textile	Textiles and textile goods Class-24 & 25	Bethany Society	1. Department of Handloom & Textile, Government of Meghalaya 2. NABARD, Meghalaya	Meghalay a
63	1095	Meghalaya Lyrnai Pottery	Handicraft Class-21	Tyrshang Lurshai Pottery Cooperative Society Limited	1. Department of Handicraft, Government of Meghalaya 2.	Meghalay a

					NABARD, Meghalaya 3. Jaintia Hills Development Society	
64	1096	Meghalaya Chubitchi (Rice Liquor)	Alcoholic beverages (except beers) Class-33	Bethany Society	1. Department of Food and Beverage, Government of Meghalaya 2. NABARD, Meghalaya	Meghalay a
65	377	Mizo Chilli	Agriculture Class-30	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	Mizoram
66	586	Paundum	Textiles and textile goods Class-24 & 25	Art and Culture Department, Government of Mizoram	Mizoram Art & Cultural Society	Mizoram
67	587	Ngotekherh	Textiles and textile goods Class-24 & 25	Art and Culture Department, Government of Mizoram	Directorate of Art and Culture Department, Chanmari, Aizawl, Mizoram	Mizoram
68	588	Hmaram	Textiles and textile goods Class-24 & 25	Art and Culture Department,	Directorate of Art and Culture Department,	Mizoram

				Government of Mizoram	Chanmari, Aizawl, Mizoram	
69	582	Tawlhlohpuan	Textiles and textile goods Class-24 & 25	Art and Culture Department, Government of Mizoram	Directorate of Art and Culture Department, Chanmari, Aizawl, Mizoram	Mizoram
70	583	Mizo Puanchei	Textiles and textile goods Class-24 & 25	Art and Culture Department, Government of Mizoram	Directorate of Art and Culture Department, Chanmari, Aizawl, Mizoram	Mizoram
71	629 & 630	Mizo Ginger	Agriculture Class-30	Mizoram Small Farmers Agribusiness Consortium	Directorate of Horticulture, Government of Mizoram	Mizoram
72	109	Naga Mircha	Agriculture Class-31	Department of Horticulture & Agriculture	Department of Horticulture and Agriculture, Govt. of Nagaland	Nagaland
73	374	Naga Tree Tomato	Horticulture Class-31	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	Nagaland

74	542	Chakshesang Shawl	Textiles Class-24, 25 & 27	Chakhesang Women Welfare Society	Chakhesang Women Welfare Society	Nagaland
75	640	Naga Cucumber	Agriculture Class-31	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	Nagaland
76	436	Tripura Queen Pineapple	Agriculture Class-31	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	Tripura
77	893	Tripura Risa Textile	Textile Class-24	Killa Mahila Cluster Bahumukhi Samabaya Samity Limited	1. Tripura Rural Livelihood Mission (TRLM), Rural Development Department, Government of Tripura, and 2. NABARD, Tripura	Tripura
78	1071	Tripura Pachra-Rignai Textile	Textile Class-24	Dewanbari Mahila Cluster Bahumukhi Samabaya Samity Limited	1. Department Handloom & Handicraft, Government of Tripura. 2. Tripura Rural	Tripura

					Livelihood Mission, Government of Tripura 3. NABARD, Tripura	
79	1072	Tripura Matabari Peda (Sweet)	Food Stuff Class-29	Matabari Mahila Cluster Level Bahumukhi Samabaya Samity Limited	1. Tripura Rural Livelihood Mission (TRLM), Rural Development Department, Government of Tripura 2. NABARD, Tripura	Tripura
80	376	Sikkim Large Cardamom	Agriculture Class-30	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	Sikkim
81	636	Dalle Khursani	Agriculture Class-30	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC)	Sikkim

(source-<https://search.ipindia.gov.in/GIRPublic/>)

Table 1 contains the details of registered GI goods and products originating from the North East States of India. The table includes details of the state-wise geographical indication of goods and products, where the application number of the GI good or product, classification of goods, name of the class, and details of the applicant and the facilitator have been provided.

Here, it is pertinent to note that all other details, except for the classification of goods- names of the classes are provided as mentioned in the GI registration certificate of the GI goods.

Accordingly, the broadly categorised GI goods/products shown in **Table 1**, the GI goods/products can be further classified according to the Classification of Goods – Names of the classes are provided according to the Fourth Schedule of Geographical Indications of Goods (Registration and Protection) Rules, 2002.

Analysis of the registered GI goods/products from the North East states of India:

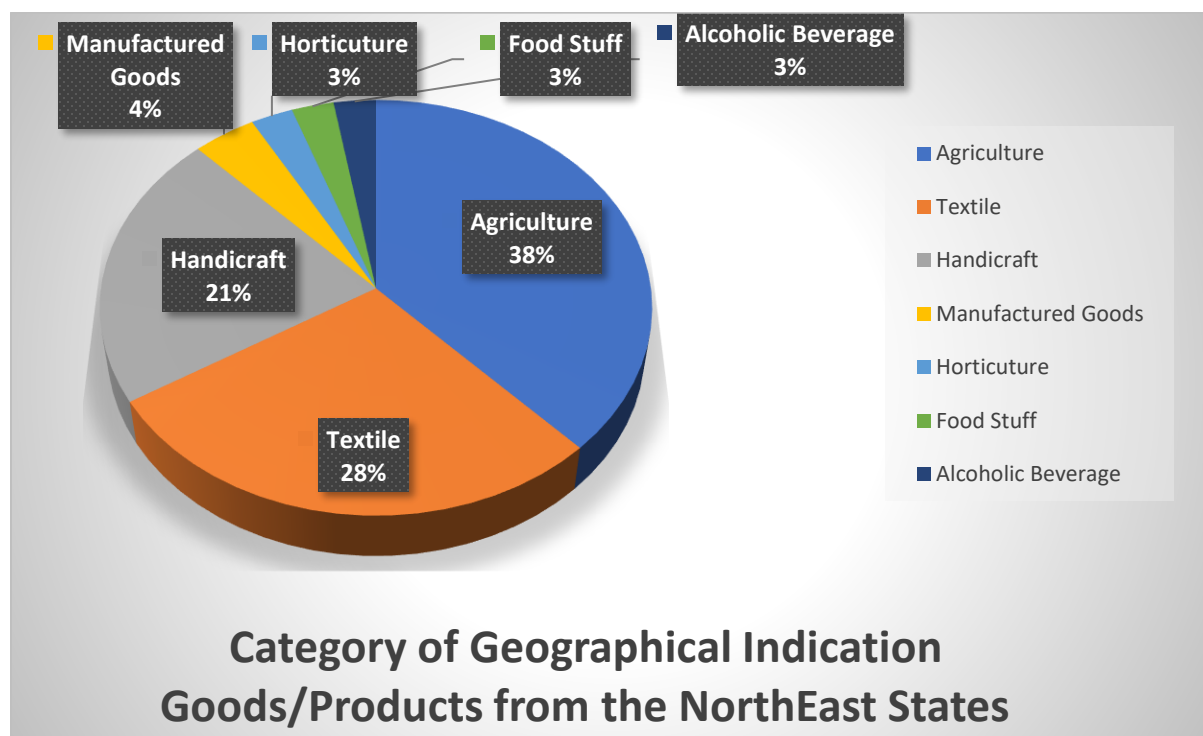


Figure 1

In the above Figure 1, it can be noted that most of the registered GI goods belong to the category of agricultural goods, followed by textiles, handicrafts, and other goods, respectively.⁷ As per **Figure 1**, the largest registered GI goods/products, with 38% of the total number of GI registered goods/products from the North East states, fall in the category of Agricultural products; 28% fall under Textile products, 21% falls under Handicrafts, 4% under Manufactured Goods and 3% each under Horticulture, Food Stuff and Alcoholic Beverage.

Figure 1 shows that 96% of the GI goods from the North East States are natural products, while only 4% are manufactured goods.

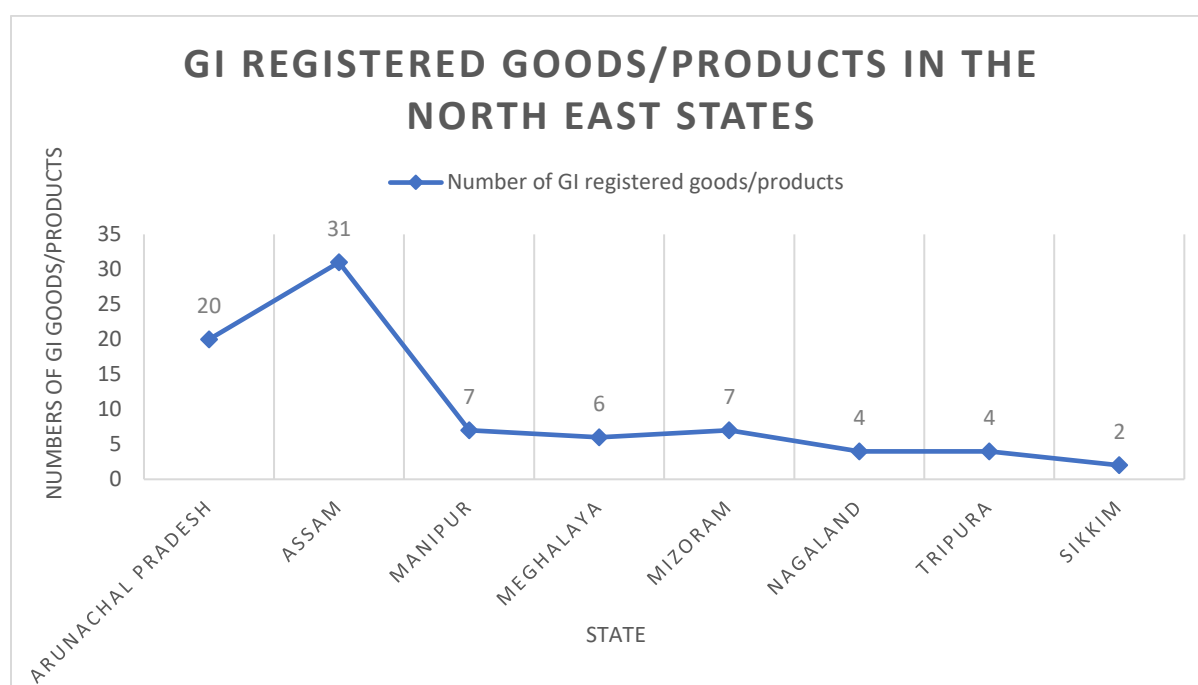


Figure 2

As shown in Figure 2, the State of Assam has the highest number of registered GIs, with 31 goods and products, followed by Arunachal Pradesh with 20, Manipur with 7, Meghalaya with 6, Mizoram with 7, Tripura with 4, and Sikkim with 2, out of the total 81 GI goods and products from the North East states.

⁷ The main economy of the Northeast Region of India is agriculture with over 70% of the population working in agriculture.

North Eastern Regional Agricultural Marketing Corporation Ltd (NERAMAC) and NABARD are the largest facilitators, with 59 products out of 81 registered products from North East States in India.

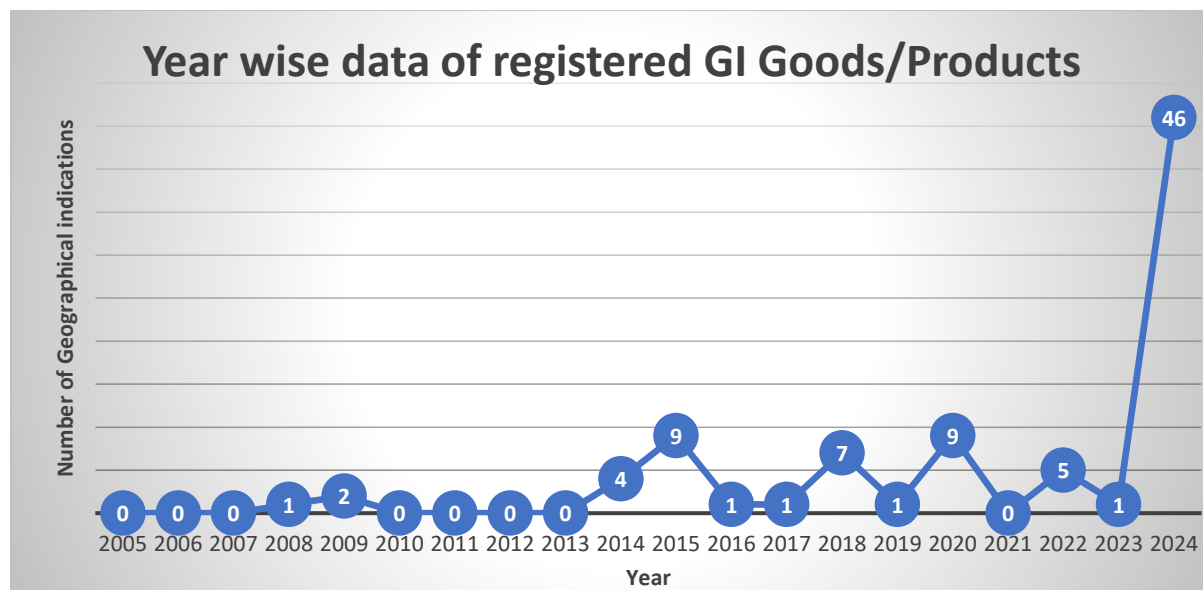


Figure 3⁸

As shown in Figure 3, the initial years of GI registration were nil, with only 3 registered GI goods/products in 9 years, i.e., from 2004 to 2013. Whereas positive growth in the registration of GI goods/products can be observed in the following years, and a drastic increase in the number of registered GIs in the year 2024, with a total of 46 GI registrations.

Table 2. Details of Refused GI goods/products from the North East States up to July 2024

Sl. No.	Application No.	Goods Refused	Classification of goods- Name of the classes	Applicant	Facilitator	Grounds of Refusal	State

⁸ At the initial stage slow growth of GI registration is mainly due to low level of awareness about GI Act and its importance.

1	639	Dekang	Agriculture Class-31	North Eastern Regional Agricultural Marketing Corporation Limited (NERAMAC)	North Eastern Regional Agricultural Marketing Corporation (NERAMAC) Ltd.	The applicant failed to prove the historical origin of the product and content of the application with supporting documents and was unsuccessful in establishing that the product is qualified to be a Geographical indication.	Arunachal Pradesh
2	595	Oyik	Agriculture Class-31	The State Horticultural Research & Development Institute (SHRDD, Arunachal Pradesh)	Head of Horticultural Research & Development Institute (SHRDI) Government of Arunachal Pradesh	The applicant failed to prove the historical origin of the product with supporting documents and was unsuccessful in establishing that the product is qualified to be a Geographical indication.	Arunachal Pradesh
3	596	Tapil	Agriculture Class-31	The State Horticultural Research & Development Institute (SHRDD, Arunachal Pradesh)	Head of Horticultural Research & Development Institute (SHRDI) Government of	The applicant failed to prove the historical origin of the product with supporting documents and was unsuccessful in establishing that the product is qualified to	Arunachal Pradesh

					Arunachal Pradesh	be a Geographical indication.	
4	597	Rahre	Agriculture Class-31	The State Horticultural Research & Development Institute (SHRDD, Arunachal Pradesh)	Head of Horticultural Research & Development Institute (SHRDI) Government of Arunachal Pradesh	The applicant failed to prove the historical origin of the product with supporting documents and was unsuccessful in establishing that the product is qualified to be a Geographical indication.	Arunachal Pradesh
5	440	Sarthebari Bell Metal Crafts	Handicraft Class-6	Regional Director (NER) Office of Development Commissioner (Handicrafts) Ministry of Textiles, Govt. of India	National Institute of Fashion Technology, Ministry of Textiles, Govt. of India	The applicant failed to prove the historical origin and reputation of the product with supporting documents. As per records submitted by the applicant, it has come to notice that the applicant has not fulfilled the basic requirements for registration as per the Act and in curing the fundamental deficiencies.	Assam

6	441	Karbi Textiles Products	Handicraft Class-24 & 25	Regional Director Office of Development Commissioner (Handicrafts) Ministry of Textiles, Govt. of India	National Institute of Fashion Technology, Ministry of Textiles, Govt. of India	The applicant failed to prove the historical origin and reputation of the product with supporting documents. As per records submitted by the applicant, it has come to notice that the applicant has not fulfilled the basic requirements for registration as per the Act and in curing the fundamental deficiencies.	Assam
7	442	Sital Pati Mats and Crafts of Goalpura	Handicraft Class-20	Regional Director Office of Development Commissioner (Handicrafts) Ministry of Textiles, Govt. of India	National Institute of Fashion Technology, Ministry of Textiles, Govt. of India	The applicant failed to prove the historical origin of the product with supporting documents and was unsuccessful in establishing that the product is qualified to be a Geographical indication.	Assam
8	600	Leteku	Agriculture Class-31	North Eastern Regional	North Eastern Regional	The applicant failed to prove the historical origin of the product	Assam

				Agricultural Marketing Corporation Limited (NERAMA C)	Agricultural Marketing Corporation (NERAMA C) Ltd.	with supporting documents and was unsuccessful in establishing that the product is qualified to be a Geographical indication.	
9	603	Assam Elephant Apple	Agriculture Class-31	North Eastern Regional Agricultural Marketing Corporation Limited (NERAMA C)	North Eastern Regional Agricultural Marketing Corporation (NERAMA C) Ltd.	The applicant failed to prove the historical origin of the product and the content of the application with supporting documents and was unsuccessful in establishing that the product is qualified to be a Geographical indication.	Assam
10	446	Kauna Reed Crafts	Handicraft Class-21	Regional Director (NER)	National Institute of Fashion Technology , Kolkata (Ministry of Textiles, Govt. of India)	The applicant failed to prove the historical origin and reputation of the product with supporting documents as per records submitted by the applicant. It has come to notice that the applicant has not fulfilled the basic requirements for registration as per the	Manipur

						Act and in curing the fundamental deficiencies. The applicant has failed to complete the procedural formalities contemplated under sec.11(1) of the Act with regard to the legal status of the applicant.	
11	447	Manipur Dolls and Toys Craft	Handicraft Class-21	Regional Director (NER)	National Institute of Fashion Technology , Kolkata (Ministry of Textiles, Govt. of India)	The applicant failed to prove the historical origin and reputation of the product with supporting documents as per records submitted by the applicant. It has come to notice that the applicant has not fulfilled the basic requirements for registration as per the Act and in curing the fundamental deficiencies. The applicant has failed to complete the procedural formalities contemplated under sec.11(1) of the Act	Manipur

						with regard to the legal status of the applicant.	
12	591	Siroi Lily	Agriculture Class-31	Director, Department of Horticulture & Soil Conservation, Government of Manipur	Department of Horticulture & Soil Conservation, Government of Manipur	The applicant failed to prove the historical origin of the product and the content of the application with supporting documents and was unsuccessful in establishing that the product is qualified to be a Geographical Indication.	Manipur
13	443	Larnai Clay Pottery	Handicraft Class-21	Regional Director (NER)	National Institute of Fashion Technology , Kolkata (Ministry of Textiles, Govt. of India)	The applicant failed to prove the historical origin and reputation of the product with supporting documents as per records submitted by the applicant. It has come to notice that the applicant has not fulfilled the basic requirements for registration as per the Act and in curing the fundamental deficiencies. The applicant has failed to complete the	Meghalaya

						procedural formalities contemplated under sec.11(1) of the Act with regard to the legal status of the applicant.	
14	444	Bamboo Sheng Trap	Handicraft Class-6	Regional Director (NER)	National Institute of Fashion Technology , Kolkata (Ministry of Textiles, Govt. of India)	The applicant failed to prove the historical origin and reputation of the product with supporting documents as per records submitted by the applicant. It has come to notice that the applicant has not fulfilled the basic requirements for registration as per the Act and in curing the fundamental deficiencies. The applicant has failed to complete the procedural formalities contemplated under sec.11(1) of the Act with regard to the legal status of the applicant.	Meghalaya
15	661	Mizo Phuihnamm	Agriculture Class- 31	Department of Horticulture	Director Horticulture ,	The applicant failed to prove the historical origin of the product	Mizoram

				, Government of Mizoram	Government of Mizoram	and the content of the application with supporting documents and was unsuccessful in establishing that the product is qualified to be a Geographical indication.	
16	662	Mizo Hatkota	Agriculture Class-31	Department of Horticulture , Government of Mizoram	Director Horticulture , Government of Mizoram	The applicant failed to prove the historical origin of the product and the content of the application with supporting documents and was unsuccessful in establishing that the product is qualified to be a Geographical indication.	Mizora m
17	663	Passion Fruit	Agriculture Class-31	Department of Horticulture , Government of Mizoram	Director Horticulture , Government of Mizoram	The applicant failed to prove the historical origin of the product and the content of the application with supporting documents and was unsuccessful in establishing that the product is qualified to be a geographical indication and the indication is generic in	Mizora m

						nature and hit by section 9(f) of the Act.	
18	664	Mizo Chow Chow	Agriculture Class-31	Department of Horticulture , Government of Mizoram	Horticulture , Government of Mizoram	The applicant failed to prove the historical origin of the product and the content of the application with supporting documents and was unsuccessful in establishing that the product is qualified to be a Geographical indication.	Mizoram
19	667	Mizo Banana (Long Cavendish)	Agriculture Class-31	North Eastern Regional Agricultural Marketing Corporation Limited (NERAMAC)	North Eastern Regional Agricultural Marketing Corporation (NERAMAC) Ltd.	The applicant failed to prove the historical origin of the product and content of the application with supporting documents and was unsuccessful in establishing that the product is qualified to be a Geographical indication. There is no explanation offered by the applicant regarding the objections raised under 9 (f) of the Act.	Mizoram
20	638	Tripura Jackfruit	Agriculture Class-31	North Eastern Regional	Eastern Regional Agricultural	The applicant failed to prove the historical origin of the product	Tripura

				Agricultural Marketing Corporation Limited (NERAMA C)	Marketing Corporation (NERAMA C) Ltd.	and content of the application with supporting documents and was unsuccessful in establishing that the product is qualified to be a Geographical indication. There is no explanation offered by the applicant regarding the objections raised under 9 (f) of the Act.	
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(source-<https://search.ipindia.gov.in/GIRPublic/>)

Table 2 contains the details of state-wise, refused GI goods/products from the Northeast States of India. In the table above there are details of 20 refused GI products from North East States. There are 13 agricultural goods and the remaining 7 are handicrafts.⁹

The table contains details of refused GI applications from the North East States of India. The table includes details of the state-wise refused geographical indications goods and products, where the application number of the GI, classification of goods, name of the class, and details of the applicant and the facilitator have been provided. The table also contains the grounds of refusal for the GI goods and products.

It is pertinent to mention that the grounds of refusal for the above said GI applications have been gathered from the orders pronounced by the Geographical Indications Registry, which are maintained on the official government website.

The Geographical Indications Registry's orders reflect the reasons for the refusal of goods to a high degree, citing the applicant's failure to prove the historical origin of the product, provide supporting documents, and establish the product's qualification as a geographical indication.

⁹ Most of agricultural products in the refused category are natural or wild variety having no commercial cultivation and these products are mainly consumed by the local populace as indigenous food, and found in natural habitat.

Additionally, the applicant failed to follow the procedural formalities outlined in Sec. 11(1) of the Act, which pertains to their legal status.¹⁰

Analysis of the refused GI registration from the North East states of India:

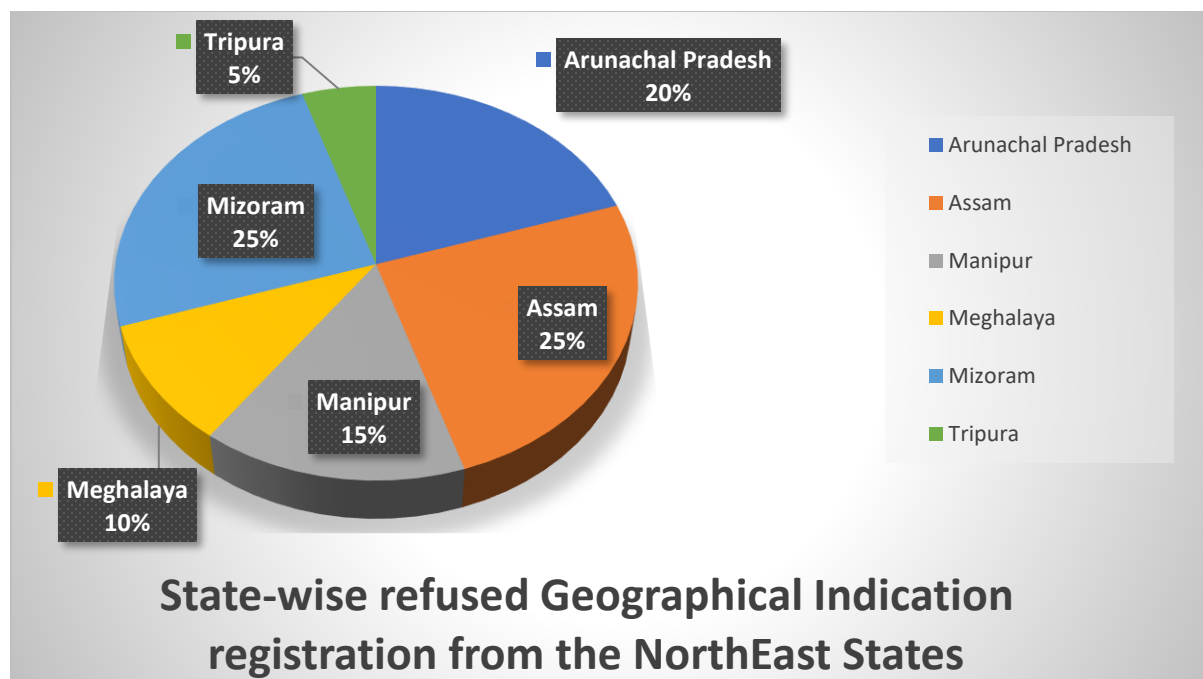


Figure 3

It is pertinent to note that the reason cited in the order for refusal of the products has similar grounds, where notably the applicant failed to prove the historical origin of the product, and the content of the application with supporting documents was unsuccessful in establishing that the product is qualified to be a Geographical indication. Also, the applicant was not able to demonstrate the uniqueness of the product. No supporting documents were produced by the applicant for the queries raised in the Formality check report to prove the historical data and origin of the product.

In several cases, the consultative group expert committee constituted by the Registrar of Geographical Indications found that the product does not qualify as a Geographical Indication as per section 2(e) of the Geographical Indications of Goods (Registration and Protection) Act, 1999.

¹⁰ It has been noted that the facilitator helping in processing the application and collecting relevant documentary evidence of geographical origin and historical proof play a pivotal role in the success of any GI application.

It is a well-settled precedent which is held in a landmark case, which has been cited in several orders where the Hon'ble Intellectual Property Appellate Board (IPAB)¹¹ has held that the definition under Section 2(1)(e) of the GI Act itself makes it crystal clear that “reputation” is a standalone factor for recognition of a Geographical indication under the Act. It is rightly contended by APEDA that the basic foundation of GI protection is rooted in the geography and reputation of the product associated with the cultivation area as an important and stand-alone factor.¹²

The provision cited in several orders also noted the failure of the applicant to provide any explanation regarding the objection raised under sec.9 (f) of the Geographical Indications of Goods (Registration and Protection) Act, 1999, which provides the prohibition of registration of certain geographical indications which are determined to be generic names or indications of goods and are, therefore, not or ceased to be protected in their country of origin, or which have fallen into disuse in that country.¹³

Explanation 1. For the purposes of this section, “generic names or indications”,¹⁴ in relation to goods, means the name of a goods which, although relates to the place or the region where the goods was originally produced or manufactured, has lost its original meaning and has become the common name of such goods and serves as a designation for or indication of the kind, nature, type or other property or characteristic of the goods.¹⁵

Explanation 2. In determining whether the name has become generic, account shall be taken of all factors including the existing situation in the region or place in which the name originates and the area of consumption of the goods.¹⁶

Post GI registration issues and measures

One of the keys aims of the GI instrument is the economic empowerment of producers, and for this to achieve a viable marketing strategy, quality control and checking counterfeit goods. It is observed that the premium value of the GI tag on goods is not common amongst the public in

¹¹ Intellectual Property Appellate Board was a quasi-judicial body in India that heard appeals on intellectual property matters. The IPAB was abolished in 2021, and its functions were transferred to the High Courts and Commercial Courts.

¹² Also, timeline and limit set in the Act and Rules are to be strictly adhered to for speedy disposal of the GI application.

¹³ The Geographical Indications of Goods (Registration and Protection) Act, 1999 No.48 of 1999, Sec 9(f).

¹⁴ A GI that has become a generic term is Camembert for cheese originated in Normandy, France. This name can now be used to designate any camembert-type cheese.

¹⁵ The Geographical Indications of Goods (Registration and Protection) Act, 1999 No.48 of 1999, Sec 9.

¹⁶ Ibid.

general; awareness of the GI tag is very much limited to aware sections of consumers who know about the GI instrument. This needs to be widened by popularising GI through advertisements and exhibitions and display of GI goods in prime locations with catchy banners and slogans. Ironically, many of the craftsmen and artisans themselves are not aware of GI and its use. Registering a GI is just the beginning when it comes to unlocking its full potential. A well-thought-out post-registration strategy is critical to the long-term success of any GI product. Promoting the product and building awareness after registration should be the highest priority, starting with the development of a strong brand image. This involves creating a proper logo and clearly communicating the product's distinctive characteristics to consumers. Advertising can also play a significant role in helping the product reach its desired outcome.

Since the Act and Rules do not require stakeholders to consult one another before a GI is registered, there is a real risk that this consultation will be insufficient. After registration, however, it becomes essential for stakeholders to reach a shared understanding of how the product is defined and how its quality is managed, including maintaining consistent quality standards. Building the capacity of stakeholders and raising awareness among both producers and consumers is equally important. Only by addressing all of these elements can a GI truly contribute to the socio-economic development of the communities that produce these goods.¹⁷ When it comes to the well-known Banarasi sarees, research found that most GI users and producers were not taking quality control seriously, which led to a decline in reputation due to substandard products. This situation is not unique to Banarasi sarees and can be seen across various other goods in India. Even though the Banarasi silk industry holds a strong reputation in both domestic and international markets, and despite having GI registration, weavers continue to struggle against stiff competition from low-cost silk fabric imports coming in from China and Surat.¹⁸ In the case of traditional textile designs of Galo, Adi, Idu Mishmi, and Apatani tribes of Arunachal Pradesh, a similar type of GI-tagged traditional textiles made in power looms are available at cheaper rates in Harmutty market of adjoining Assam. All kinds of tribal motifs and designs are replicated mechanically. In fact, a genuine buyer of GI handlooms finds it difficult to find a good market, and the price factor too is incomparable between genuine and machine-made goods. In the context of Arunachal Pradesh,

¹⁷ Jupi Gogoi, fulfilling the purposes of GI registration in India: roadblocks and solutions, *ILI Law Review Winter issue 2021* available at https://ili.ac.in/pdf/win21_11.pdf (last visited on February 7, 2025).

¹⁸ *Ibid.*

several community-based organisations are actively involved in the preservation of indigenous cultural heritage and have prescribed community protocols relating to its use and production. Several of them, like Galo Welfare Society and Adi Bane Kebang, etc respective community-based organisations, have played a key role in the GI registration of their goods.¹⁹

Potential for GI products in the North East States

Northeast states of India are a hotspot of biodiversity and cultural diversity. Diverse natural topography, from tropical evergreen forest to alpine forest, supports a vast range of diverse flora and fauna and several crop species. The northeast region of India consists of eight states, viz., Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, and Tripura, which have diverse ethnicities with 145 scheduled tribes coexisting with a population of 1.27 crore, which is 12.18% of the total ST population in India (705 scheduled tribes and 10.43 crore population).²⁰

Among the NE states of India, the state of Arunachal Pradesh, also known as the land of dawn-lit mountains, has an area of 83,573 sq. km with 79.33% forest cover as a percentage of total geographical area according to the assessment of forest resources by India State of Forest Report (ISFR) 2021. Arunachal Pradesh is enriched with a plethora of flora and fauna, with more than 500 rare species of Orchids. Arunachal Pradesh is blessed with large numbers of rare and endemic species, and the region is recognized as a biodiversity hotspot. The region nurtures 5000 species of flowering plants, seven primates out of 16 found in the world, 770 species of birds, etc.²¹

The geographic location and cultural uniqueness of Arunachal Pradesh, a state in north-eastern India, make it a prime candidate for the application of Geographical Indications. As a biodiversity hotspot, the region is home to a diverse array of horticultural products and traditional crafts that could benefit from the protection and marketing opportunities offered by Geographical Indications.²² The region has a rich repository of traditional knowledge and traditional cultural expressions that is intrinsically connected to varied traditional products and artefacts, among other

¹⁹ Galo and Adi are one of the tribes of Arunachal Pradesh having rich traditional weaving , craftsmanship and handloom history.

²⁰ Palta Singh T & Paliwal G, Tribal Population in India: Regional Dimensions & Imperatives, JRDP 27 issue 2 (2014).

²¹ Koj Taro, Biodiversity of Arunachal Pradesh and its Conservation, 6 DNGCRJ 79 (2021).

²² Himadri Shekhar Datta, Gargi Sharma and Sarat Sekhar Bora. 2020. Geographical Indications in Horticulture: North East India Perspective. *Int.J.Curr.Microbiol.App.Sci.* 9(01): 1207-1221.

things. Indirectly, the GI framework helps in the recognition of the traditional knowledge value of the GI products wherever it is associated. That makes the GI tool an effective medium for value addition and sustainable use of traditional products with rich cultural heritage.²³

The main challenges identified in obtaining Geographical Indication (GI) registration:

- Lack of awareness of the significance of GI registration is a genuine problem that leads to a lack of initiation in registering products for Geographical Indication.
- The GI registration process in India can be lengthy and complex, posing challenges for small-scale producers and communities. A limited understanding of the legal framework and procedures for the GI registration process can discourage potential applicants.
- Defective filing of a GI application containing details related to proof of origin and other documentation of the goods is one of the main reasons for the failure in securing GI registration.
- Failure to follow the procedural formalities to fulfil the basic requirements for registration, as per the procedures provided in the Geographical Indication Act, and to cure the fundamental deficiencies in the process of registration of a GI is also a major setback.
- The product's reputation should be substantiated by corroborating historical sources. The lack of historical data to support the product's origins, as well as the absence of such data to verify the traditional practices or heritage of indigenous communities in the North Eastern States, has posed significant obstacles to meeting the requirements of a geographical indication.
- Diminishing traditional knowledge due to the impact of modern amenities has made it more difficult to preserve traditional knowledge-based practices of using various crafts and natural products. Moreover, the influx of mass-produced, standardized goods has threatened the survival of these traditional practices.

Conclusion & suggestions

The study of Geographical Indication (GI) application refusals in the North East

²³. Topi Basar , Legal Protection of Traditional Knowledge in India- An Appraisal, Delhi Law Review, Volume XXX, pp. 75-87, ISSN NO: 0973-00.(2008)

States of India provides valuable insights into the region's challenges and opportunities. This area, comprising Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Tripura, and Sikkim, is renowned for its biodiversity and unique traditional products. Despite its potential, there was a lack of successful GI registrations, which was not encouraging in the initial years of development in the field of GI, particularly pertaining to the north-eastern States but in recent years there has been a drastic increase in the registration of GI goods/products. The refusal of GI applications in these states is because of common reasons; these refusals include the inability to prove the historical origin of products, insufficient supporting documents, and failure to establish the product qualifications as geographical indications. Specifically, applicants often lack comprehensive historical data and evidence to substantiate the unique characteristics and traditional practices associated with their products. Additionally, procedural deficiencies and non-compliance with legal requirements under Section 11(1) of the GI Act contribute to the high refusal rates. The majority of refused applications pertain to agricultural products, followed by textiles and handicrafts. This highlights a substantial untapped potential in these categories, which, if addressed, could significantly benefit the region. However, challenges such as lack of awareness among producers, the complexity and length of the registration process, and the erosion of traditional knowledge due to modernization and mass-produced goods pose significant obstacles. To address these challenges, there is a critical need for awareness campaigns and educational programs to inform producers about the benefits and processes of GI registration. Government and non-governmental organizations should proactively support producers, especially in the pre-registration stage. Encouraging producers to form registered bodies with established bylaws and standards can help maintain the quality of GI products. Collaboration with local institutions and leveraging regional expertise can also enhance the robustness of GI applications. Improving the documentation process by maintaining historical records, proof of origin, and descriptions of unique properties is essential. Academic and research institutions can play a pivotal role in gathering and preserving traditional knowledge and historical data relevant to GI products. Additionally, streamlining the GI registration process and providing clear guidelines can reduce procedural hurdles. Developing a support system to assist applicants in navigating legal and procedural requirements can improve the success rate of GI applications.

In conclusion, while the North East States of India have vast potential for identifying and obtaining GI registration for such goods/products, significant challenges need to be addressed. By enhancing

awareness, providing organizational support, improving documentation, and simplifying procedures, the region can leverage its unique products to gain commercial and cultural recognition.²⁴ This can contribute to the economic development and preservation of the rich heritage of the North East States.

²⁴ GI tourism or GI exhibition or trade fairs should be promoted in the State and during festivals a separate stall may be dedicated for GI products.