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A Study on the Rural Development Potential of the Gi-Tagged Products with Special Reference to Kanchipuram Silk Sarees

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Abstract

Intellectual property is a property that originates from human intellect and skill. Geographical Indication is one of the parts of IP. GI is a sign used on products with a specific geographical origin and possesses qualities or a reputation due to that origin. GIs separate origin items from commodity markets by capturing local characteristics such as environmental conditions and local expertise. The main aim of this paper is to investigate about the rural development potential of the GI goods, hence a case study on the Kanchipuram silk saree producers has been conducted. The responses are collected through interview method from 15 weavers of the Kanchipuram saree. The study also attempted to find out the recognition and economic status of the weavers before and after receiving the GI tag. From the study it is concluded that the Kanchipuram textile industry has developed into a giant corporate industry, but their producers are still now facing day-to-day economic difficulties.

Keywords

Intellectual property, Geographical Indication, Kanchipuram silk saree, Rural development, economic status, economic difficulties.

INTRODUCTION

Intellectual property is a property that originates from human intellect and skill. Creations of the mind, including inventions, literary and artistic works, designs, symbols, names, and pictures used in commerce, are referred to as intellectual property (IP). An intellectual property right is an exclusive right given to the creator of such property. Today, intellectual property plays an important role in the economic and social life of our society. Geographical Indication is one of the parts of IP. GI is a sign used on products with a specific geographical origin and possesses qualities or a reputation due to that origin. GIs separate origin items from commodity markets by capturing local characteristics such as environmental conditions and local expertise. Geographic indications are becoming highly significant, particularly in developing nations, in order to guarantee the authenticity of rural products. 1

Geographical Indications (GIs) are legally protected and play an important role in business relationships. Geographical Indications must be protected in order to prevent appropriation of GI products, as GIs might be misused if they are not protected. Furthermore, because many GI products cross national borders due to globalization, GI product protection is critical. The Paris Convention, Madrid Agreement, Lisbon Agreement and TRIPS agreement have all made significant contributions to the development of Geographical Indications. India as a signatory of TRIPS agreement have opted for a sui generis system to protect GI and enacted the Geographical Indications of goods (protection and regulation) act, 1999 which came into force in 2003.

The two most significant events that can be linked to the passage of the Geographical Indication of Goods (Registration and Protection) Act 1999 are the debates surrounding Basmati rice and Darjeeling tea. The law lays out specific guidelines for the protection and registration of GI. The Controller General of Patents, Designs, and Trademarks is responsible for overseeing the act. The Registrar of GI is another name for the Controller General. The GIGA has three primary goals. They are:

- (i) Protecting the geographical indications (GI) of products sold in the nation could, in turn, safeguard the interests of those who manufacture those products;
- (ii) preventing unauthorized individuals from using GI and deceiving consumers; and
- (iii) promoting GI in the trade market to boost the nation's economy.

According to the Indian GIGA Act, GI can be registered on a multilateral basis, including by owners from other countries. The Indian GI Act offers protection by prohibiting unauthorized individuals from utilizing the name of Geographical Indications improperly. The nine chapters that make up this Act. Preliminary Chapter I includes a glossary of words used in the Act. The requirements for GI registration in India are covered in Chapter II. Also included in the chapter is a provision for the creation of a GI Registry. This Chapter includes provisions addressing the prohibition of GI registration as well as provisions for the registration of GI products. The Chapter contains requirements pertaining to the registration of homonymous geographic indications. The method and length of registration are covered in Chapter III. Chapter IV discusses the results of registration. Special provisions relating to past users and trademarks are found in Chapter V. The provisions in Chapter VI address the corrections and updating of the Register. The Appellate Board appeals provision is included in Chapter VII. In Chapter VIII, offenses, punishments, and procedures are outlined. The final Chapter, IX, is miscellaneous.

In this research a case study on Kanchipuram sarees have been done. The Kanchipuram silk saree was included in the GI Act in order to showcase the traditional Indian heritage. The district of Kancheepuram in Tamil Nadu is where the enticing, gorgeous Kanchipuram sarees are made. Only genuine Kanchipuram sarees are given the silk mark by the Indian silk board, and this label on the saree is proof of its authenticity. P. Sanjay Gandhi, an advocate in the Madras High Court, spent five years working to get the Geographical Indication label with the assistance of the Textile Ministry, taking into account the special qualities of the Kanchipuram silk due to its geographic location in Kanchipuram. This GI tag has succeeded in establishing the brand name Kanchipuram. This GI states that it must maintain the act's requirements for standard weight, quality, and zari mark.

REVIEW OF LITERATURE

Hoang, G.; et al. (2020)- The relationship between geographical indications (GIs) and sustainable rural development in Vietnam is investigated in this study, which looks at the Cao Phong orange as a case study. Interviews with Vietnamese policymakers and orange growers yielded qualitative data that was used to investigate the role of the Vietnamese government in designing and implementing GIs, as well as the involvement of local producers who benefit from GIs, to determine how and to what extent GI protection affects sustainable rural development. The results suggest that GIs have made a good contribution to Vietnam's long-term rural development; nonetheless, some issues remain. The findings of this study have policy implications for boosting GIs and long-term rural development in Vietnam.

1. **Aanchal Agarwal, (2020)**- In this doctrinal research paper, the author describes briefly the weaving process, and the efforts exerted by the weavers in making a single authentic piece of Kanchipuram saree and the uniqueness of the saree. The process behind the acquisition of the GI tag for the saree has also been discussed. The paper's main aim is to enumerate the challenges faced by the textile industry, i.e., the manufacturers and the distributors.
2. **M. Murugan & S.A. Senthil Kumar, (2012)**, in this study a survey of 50 people was performed to find out what they thought about cooperative silk societies in Kanchipuram (the silk city), with a focus on customer relationship management. It was discovered that there is a link between buying silk sarees and having them checked for quality, and that buyers are loyal to the brands they buy.
3. **Saraswathy, R., & G. Veeramani, (2018)**, This study examines the history of Kanchipuram sarees, their boom, modernity, change, opposition, sustainability, obstacles, and problems, as well as the challenges and problems that the textile industry faces.
4. **Prakash, A. Arul, & A. Selvendran, (2017)**, Kanchipuram silk began with nine yard sarees that were made to mix in with the temple story design and patterning tradition. These sarees were transformed to six yards with gold zari weaving over time. Kanchipuram silk sarees woven with imitation gold zari are now accessible to suit any budget, without sacrificing the sparkling splendour of this material. The scriptures and art of silk sarees have been taken over by innovations in the saree's texture and shape.

OBJECTIVES:

- a) To identify the actual problems in the textile industry regarding Kanchipuram saree production.
- b) To estimate whether there is a relationship between GI and rural development.
- c) To study the current situation and challenges in Kanchipuram saree production and distribution.

METHODOLOGY

This study is mainly based on the primary data collected from the producers and manufacturers of Kanchipuram sarees. The research is conducted through the interview method which is done with 15 weavers of Kanchipuram silk sarees. The interview is conducted with the weavers from the Kancheepuram Arignar Anna Silk Handloom Weavers Coop. Production & Sale Society Ltd, Kancheepuram Kamatchiamman Silk Handloom Weavers Coop. Production & Sale Society Ltd, Kancheepuram Thiruvalluvar Silk Handloom Weavers Coop. Production & Sale Society Ltd, Kancheepuram Murugan Silk Handloom Weavers Coop. Production & Sale Society Ltd and also from a few private weavers. Their answers are analyzed and suggestions are proposed.

RESULTS AND DISCUSSIONS

. Most of the authorized users are aware that the Government has recognized Kanchipuram silk saree authenticity and has given the Geographical Indication tag. The findings go as follows, the questions asked to the respondents, their answers, and the interpretation of the researcher.

Question: 1: How do you think Kancheepuram Saree fits into the definition of GI?

The respondents' answers are as follows,

- GI tag is given to Kanchipuram silk saree for its extensive handicraft.
- The silk saree is registered under the handicrafts section only for the hard work of the weavers.
- Their hard work has earned the GI status for the saree.

From their answers, it is inferred that the GI tag is not given for the saree but for the craftsmanship of the weavers. The individuality in the weaving technique of the Kanchipuram weavers has earned the Geographical Indication tag. Silk sarees woven in the traditional manner are quite thick and silky, with fine counts of silk.

Question: 2: Your recognition status before and after receiving the GI tag for the saree. The respondents' answers are as follows,

- Recognition status of the weavers has improved after receiving GI tag for the saree.
- The sarees have been recognized for the intricate work by the consumers which lead to premium pricing and increased stipend for the weavers.
- Control of infringing goods.

From the answers it is found that it is clear that the respondents have received higher benefits after 2005. The various benefits provided by GI recognition have been listed below.

Benefits of the GI tag:

The GI tag issued to Kanchipuram silk sarees has resulted in a number of before-and-after changes in the position of the authorized users, some of which include the following:

- ☐ the product authenticity is being safeguarded,
- ☐ infringement is controlled,
- ☐ increase in purchasing preference,
- ☐ fake products are reduced,
- ☐ proper remuneration is received by the producers, and
- ☐ Their hard work is appreciated.

Question: 3: Are you aware of the premium pricing mechanism in the GI industry?

The respondents' answers are as follows,

- The respondents were aware of the premium price given to the Kanchipuram silk sarees.
- The weavers are of the opinion that the Premium Price is given to the saree for its artistic elegance and the hard toll of the producers during the weaving process.
- They also think that it is fair to pay a premium price, but they claim that they don't receive an adequate amount of those PP.

Premium price and weaving process:

The premium price is given to the saree for the intensive artwork involved in making every single saree. The weaving process starts with raw silk, the raw silk is separated into three sections and coloured in various hues to produce a single saree. The piece of the saree that covers the body is typically dyed with several colours to create a contrasting appearance, whilst the portion that falls over the shoulder (Pallu) is typically given a single vivid colour. Water is boiled in a copper pot to initiate the colouring process. After the water has reached a high temperature, the dyeing materials - washing soda, soap oil, and dye colour - are added. The off-white silk yarn is then dipped into that vat before being poured into a container containing normal water to remove excess dye. The silk is allowed to dry between two and three days. The most common colours are red, green, blue, and shades of yellow. Weavers affiliated with private organizations dye their thread, whereas government-aided weavers receive pre-colored silk to cut costs on their end.

The weight fluctuates between 750 and 1000 grams. The pallu and borders are adorned with exquisite motifs and elaborate patterns. The majority of the patterns on the sarees are inspired by the city's temples. It consists of the eye of the peacock, swans, parrots, flowers, statues, and more. The "Ganga-Yamuna" design is a common motif for sarees in this region. This refers to a saree with two different-colored borders.

Question: 4: Are there any improvements in the socio-economic status of the weavers after the saree got legal recognition as GI? Are you receiving adequate incentives for your production and hard work?

The respondents' answers are as follows,

- The weavers were a little naïve about their socio-economic development.
- They claim that they earn roughly Rs 1,000 per day from weaving sarees, depending on the design, but the families continue to live on a budget month after month, year after year.

- They claim that their earnings are only sufficient for their day-to-day survival. The weavers are paid on an average per saree they weave.
- The private weavers receive about Rs. 5,000 per saree and the government pays approximately Rs. 7,000 per saree to the co-operative society weavers.
- The society weavers claim that they receive adequate incentives, the private weavers say the opposite.
- They are provided incentives according to their production rate.

Socio-economic development:

The current problem the Government sector weavers are facing is that, due to the brokers (intermediaries), most of the purchasers are deceived to private shops rather than cooperative societies. Hence the product is stocked up and due to this the production rate decreased and the government societies started sending the raw materials at a slow pace i.e. once in 21 days. Therefore, society workers are pushed to take up weaving as their part-time job and search for another primary job. Whereas the private producers are continuously provided with the raw materials and the production and earnings are constant. The society weavers claim that they are adequately incentivized by the Government, i.e. they receive ample remuneration for the amount of work they are doing. Whereas it is the opposite in the case of the private weavers, they feel that their hard work is not appreciated enough.

Question: 5: Are the customers bothered about the authenticity of the products they buy nowadays, if so reason? Has your authentic product been infringed by unauthorized persons?

The respondents' answers are as follows,

- The weavers claim that after the Kanchipuram silk saree has received the GI tag, infringement has been curtailed to a certain extent.
- They feel that the initial cause for providing the GI status was to eliminate false products.

Infringing goods:

Kanchipuram sarees typically feature a distinguishing zari border. This distinguishes these sarees from other types of silk sarees manufactured in India. Weavers take a silk thread and wind a silver thread around it before dipping it into pure gold to create the zari border. Nonetheless, resold zari is used currently. This particular zari is less expensive due to the use of silver-plated copper wire rather than silver threads. The price of the silk saree decreases dramatically as the amount of silver used decreases. In textile showrooms, however, it is marketed for the same price as an original zari saree.

There are a few tests to find unauthentic products, they are,

1. Fire test: By removing a few threads from the saree's end twists and setting them on fire, after the fire has burned out, the cinder will be left behind. If the odour emanating from the cinder smells like burnt hair or cowhide, you are looking at an authentic Kanchipuram silk saree. Alternatively, if there is no residue after the flames destroy the thread, it indicates that the saree was produced using counterfeit zari.

2. In addition to the fire test, a saree's authenticity can be determined by its weave pattern, zari colour, border demarcation, and weight. According to saree connoisseurs, reselling a saree is the only way to determine its authenticity. The value of a Kanchipuram saree is determined by the price at which it may be resold.

The weavers claimed that an original saree has been worn for at least 25 to 30 years, and can be donated to any of the pawn shops in Kanchipuram. They will melt it to remove the zari, weigh it, and pay you based on the silver price of the day.

Question: 6: The role of silk marks in adding an additional layer of protection to the GI.

The respondents' answers are as follows,

- The weavers also affirm that the silk mark acts as an additional layer of protection to the silk sarees.
- They claim that it helps the consumers to select the authentic product and avoid getting cheated on.

- This certificate mark protects the consumers from fraud. The Handloom Department of the Government of Tamilnadu has established a machine to identify the genuine Kancheepuram Silk in order to protect consumers. This non-destructive testing (X R F) was created by the Government of Tamilnadu in association with the Indira Gandhi Center for Atomic Research, Kalpakam, and the Technology Information Forecasting Assessment Council (TIFAC), New Delhi, to assess the silk and zari quality used in Kancheepuram sarees according to the established standards. For 50 rupees for each saree, a customer who is curious about the saree's authenticity could test it. This is anticipated to require all of Kancheepuram's saree manufacturers to adhere to the established norms

Question: 7: Have you participated in any trade fairs, if so, did you create any awareness or recognition?

The respondents' answers are as follows,

- The weavers submit that these exhibitions and fairs encouraged people to induce the purchase, to know more about the heritage of the saree and the hard work and process behind each saree.
- They also contend that these exhibitions must be held as they promote trade and public interest.

Trade fairs and exhibitions:

This festival shows more than 1000 gorgeous sarees, which are the handiwork of 15 weavers' co-operative groups in Kancheepuram. Designs include exquisite needlework and new patterns that do not match the conventional fascia of Kancheepuram sarees. The items range from Rs. 2000 to Rs. 40000 and certain special concessions are also provided here. The show attracted notable figures from the art, music, and cinema industries. In addition to professionals, the show impressed young people.

These trade fairs encouraged the weavers by providing prices for the most distinguished and exotic designs. But due to the impact of Covid and other developmental and infrastructural difficulties, these events are not conducted more often nowadays. These trade fairs of course did promote trade and public interest regarding the ancient history and the intricate craftsmanship of the weavers.

Question: 8: Are there any infrastructural difficulties you face in producing and selling your registered GI product?

The respondents' answers are as follows,

- The cooperative society weavers and other authorized users mostly construct the looms in their households or private property.
- The investment in the installation of the looms is completely done by the weavers and all the maintenance costs of the looms should also be managed by them.
- Lately the central and the state government are providing subsidies to the weavers for installing any latest devices which increases productivity.

Infrastructural development:

Weaving looms are installed in each dwelling. Typically, the weaver constructs his handloom because the measurements must be exact, and if even one component is misplaced or misaligned, the final product will not be flawless. The Government society weavers have their looms constructed in their homes, if any problem arises with the looms, they are of full responsibility. Most of the infrastructural investment is from the weavers' side, but some of the weavers are nowadays using the "Deendayal Hathkargha Protsahan Yojana" and obtaining subsidies from the central and state government. For example, the government has given subsidies to install a 'new matting machine', which reduces some manual effort of the weavers and eases the weaving process to a certain extent.

Question: 9: Impact of the COVID pandemic. Have you recovered from the Impact of the COVID pandemic? Did the government provide you with any aid to recover from the pandemic?

The respondents' answers are as follows,

- The weavers claim that they didn't receive any special subsidies to overcome the damages and they struggled a lot to cope with it.

COVID impact:

COVID breakout has affected every occupation and livelihood of the whole world's population. The weavers and the authorized users of the Kanchipuram silk sarees are also extremely affected by it both economically and mentally, but they didn't receive any special subsidies to overcome the damages. Due to the lockdown, the zari and the silk supply were restricted from Surat and Bangalore respectively which barred the production of the saree. The weavers receive their income on a production basis as there was no production there was no income, which affected their living. As the consumers were in quarantine, the already produced sarees were also stocked up, hence the weavers were affected tremendously. The weavers also provided that during the lockdown period the cooperative society provided a loan of rupees two thousand which is not granted to them as a relief amount but just as a loan which has to be repaid by them, they have even requested in the general party meeting to discard the loan but still, it is not granted. Even though they faced many hardships, the weavers overcame it with devotion towards their craftsmanship and experience.

CONCLUSION

In the current age of intellectuals, it is necessary to give proper protection for GI, as it is a developing form of IP. Globalization has lessened the distance between nations, resulting in an expansion and improvement of trade links. However, this has occasionally had a negative impact on the business of local items, and consumers have begun to choose branded products over local ones. From this paper it is understood that the silk saree industry has developed into a worldwide business but the economic standard of its producers is still underdeveloped. The weavers are also of the opinion that the GI tag provided to the Kanchipuram silk saree is highly beneficial to the big textile giants than to them. It is the duty of the government to bring about schemes to improve the standard of living of the producers.

SUGGESTIONS

This study offered some solutions to the problems and difficulties faced by producers and manufacturers. Since the primary purpose of GI is to combat fake goods and safeguard the interests of producers, it should be vigorously applied to:

- 1) India can adapt post-enforcement measures similar to the EU, to investigate the further development aspects of the GI product.
- 2) The laws regarding misrepresentation and unfair competition must be enforced effectively.
- 3) The manufacturers must be educated about provisions provided in the Indian GI act regarding infringement and their remedies so that if they witness any infringing activities they could act effectively.
- 4) The government may conduct trade fairs and exhibitions for the promotion of the GI product and direct chain of sales between consumers and manufacturers.
- 5) Tourism and export potential of the GI goods must be improved by the government.
- 6) To solve this issue of the silk mark being forged can be solved by embossing it in the saree itself.
- 7) The makers of GI must have access to appropriate legal information and guidance to safeguard their product from unlawful use.

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