



Beyond Geographical Indication: Heritage as a Collective Right

Dr. Barnali Sikder

Assistant Professor, Janata college, Serfanguri, Kokrajhar, West Bengal, India

Received: 18.07.2026; Accepted: 26.07.2026; Available online: 31.07.2026

©2026 The Author(s). Published by Scholar Publication. This is an open access article under the CC BY license

(<https://creativecommons.org/licenses/by/4.0/>)

Abstract

Northeast is known for its tribes and their indigenous way of life. Tribes of this region are giving real effort in preserving their culture, tradition and knowledge. In this effort they often face challenges in terms of preservation and in claiming their right on their knowledge, art, song, food, medicine and million other things. When we see GI tag as a solution to this problem, we drill in an area of negligence since GI tag fails to preserve the outflow of knowledge that are used without giving due credit to its source. In the present paper a specific tribe of Assam, (Bodo tribe) is chosen for assessing how collective right is neglected and misused.

Keywords: Northeast, Bodo, GI tag, collective right.

In 21st century, knowledge and its creation has taken a great leap with the rapid growth of AI technologies. When AI is often seen as creating opportunities for many, it is displacing others. With its growth we are bombarded with new ideas created on the basis of existing realities. So, creation seems getting a very fragile attire. We can create a new designer outfit infused with tribal motif within seconds, we can reimagine a tribal dish without even visiting its place of origin, we can redesign tools once used by some ethnic communities, and the list goes on. In such circumstances we get the reality check about our traditional knowledge and its misuse. When the concept of traditional knowledge can be related to all the existing communities, for the present paper, Bodo tribe from North east India is highlighted.

Research problem:

1. Tribes in general and tribes of Northeast India in specific face challenge in claiming rights on their tradition, knowledge and cultural artefacts.
2. GI tag is seen as solution yet it fails to stop outflow of knowledge used without credit
3. This paper initiates a question on the damaging truth of neglected collective right and their preservation.

Methodology:

This study uses a qualitative & interdisciplinary methodology. The main aim of this study is to understand how heritage lives as a practice. So, a decolonial stance is applied to

understand the issues related to the research question with special concentration on Bodo tribe.

Objective:

1. objective of this study is to discuss on the challenges faced by tribes of Northeast India in preserving their rights.
2. To assess how GI tag fails to stop outflow of knowledge used without credit.
3. To enquire into the area of collective right of a tribe on everything related to their culture.
4. To look into the reality of Bodo tribe in terms of preservation of culture and collective rights.

Analysis:

Northeast of India is one of the most unexplored regions in the country. It is rich its great natural resources, unique culture, tribal heritage and diversity. Ministry of Home Affairs, Northeast division describes this region in the following lines,

“The North Eastern Region (NER) comprises of eight States viz. Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim and Tripura. This region is culturally and ethnically diverse having more than 200 ethnic groups which have distinct languages, dialects and socio-cultural identities. The Region covers 7.97% of the country’s geographical area and 3.78% of its population”. (Ministry of home affairs, North east division)

So, this cultural hotspot of India is immensely important at many fronts. Considering the need of protecting the indigenous knowledge system Northeast can be proved as one of the most important regions in India. It is mostly because this region is dominated by a large no of tribal groups. The ethnic groups of Northeast India and their indigenous knowledge is vulnerably exposed to be explored and used without giving them any credit. Without protecting their repository of knowledge India can neither reach its sustainable development goals nor will it be successful in protecting their rights. Realising this reality Chakrabarty and Kaur writes,

As India moves ahead in the twenty-first century to be a global player, it must take a balanced and inclusive approach. Marginalized and vulnerable tribal communities make approximately 10% of the massive population, playing a dynamic role in this regard. Their ancestral knowledge can be explored to inculcate the ethos in multiple disciplines. This would most certainly bring the much-needed balance in achieving the United Nations Sustainable Development Goals. Where the world is fast losing its natural resources, promoting traditional knowledge (TK) could become an initiative for its reconstruction in post-COVID 19 scenarios. Apart from reinstating the rights of these indigenous communities, this step would also facilitate the economic benefit of the country through the incorporation of TK in the realm of Intellectual Property. (SP Chakrabarty & kaur , 401)

Tribal culture and their knowledge are expected to be preserved with the implementation of GI protection. GI tag stands for geological indication tag, which is often assigned to some products in the road to protect traditional knowledge. According to wikidepdia

“A [geographical indication](#) (GI) is a name or sign used on certain products which corresponds to a specific geographical location or origin (e.g., a town,

region, or country). [India](#), as a member of the [World Trade Organization](#) (WTO), enacted the [Geographical Indications of Goods \(Registration and Protection\) Act, 1999](#), which came into effect from 15 September 2003. GIs have been defined under Article 22 (1) of the [Agreement on Trade-Related Aspects of Intellectual Property Rights](#)“ (Wikipedia)

The GI tag is considered as one of the vital tools for protecting intellectual property rights. Accordingly Northeast and specifically Assam received several GI tags. If we try to identify GI tags received by Bodo's, we get a total number of 21 traditional Bodo products which received the prestigious Geographical Indication tag. Bodo people are one of the largest ethnic groups natives to the state of Assam. This indigenous group speaks Bodo, a Tibeto Burman language. Amids other recipients of GI tag from Assam, this particular community received 21 of them. It is a matter of pride for this community. It is seen that these GI tags are given on variety of segments like food, beverages, drinks, craft etc. In an article published by The Hindu it is clearly mentioned. It is exceptionally interesting to see how a fermented fish product locally known as *Napham* has received this tag and now it is globally recognised as *Bodo Napham*. To this The Hindu writes, “The Association of Traditional Food Products applied for four GI tags and obtained them successfully. A GI tag has been secured by ‘Bodo Napham’, an important and favourite dish of fermented fish prepared anaerobically in a tightly sealed container in a process that requires about two-three months. The Bodo people preserve fish using different techniques, including smoking, drying, salting, fermentation, and marination. Due to heavy rainfall and the limited availability of fish throughout the year, fermentation is favoured as a method of preserving food.” Along with this, food products like Onla, Gwkha Gkhw, Narzi are also given this special tag while restoring its ethnic and cultural importance. “A GI tag has also been secured by ‘Bodo Ondla’, a rice powder curry flavoured with garlic, ginger, salt, and alkali. The ‘Bodo Gwkha’ has also received the GI tag. Locally also known as ‘Gwka Gwkhi’, it's prepared during the Bwisagu festival. The fourth specialty given the GI tag is ‘Bodo Narzi’, a semi-fermented food prepared with jute leaves (*Corchorus capsularis*), a rich source of Omega 3 fatty acids, vitamins and essential minerals, including calcium and magnesium.” (The Hindu, 2024) . These food items regularly consumed by Bodo people are part of their life, rituals and culture. After its GI tag they are identified and specified with its ethnic roots. It has happened not only with these culinary delicacies but also with some local varieties of liquor. Once looked down upon as local rice wine, it has now been given its due recognition for its unique making process and flavour. After application submitted by Bodo Brewers Association, Jwu Bidwai, Jwu Gwran and Jou Gishi received GI Tag. The article adds to this

“The application for Geographical Indication tags for three variants of rice beer was filed by the Bodo Traditional Brewers Association. The first variant, ‘Bodo Jou Gwran’, has the highest percentage of alcohol (about 16.11%) when compared with other varieties of rice beer made by the Bodo community. The second variant, ‘Maibra Jou Bidwi’, known locally as ‘Maibra Jwu Bidwi’ or ‘Maibra Zwu Bidwi’, is revered and served as a welcome drink by most Bodo tribes. It's prepared by fermenting half-cooked rice (mairong) with less water, and adding a little ‘amao’ (a potential source of yeast) to it. The third variant, called ‘Bodo Jou Gishi’, is also a traditionally fermented rice-based alcoholic beverage. The GI filing states Bodoland has

had a tradition of consuming rice beer since times immemorial. The Bodo people believe the drink originated from Lord Shiva, and it's taken as a medicine" (The Hindu, 2024).

Last but not the least is a mention of Aronai amongst many other items included later in the list of GITag recipients brings pride to the whole community. Aronai is not only a piece of cloth rather it is associated with honour and respect. It is often offered to guests as a gesture of respect. When this cloth related with respect gets its own place and recognition, nothing can replace its pride. Giving identity and recognition to Aronai equals giving recognition to its weavers who initiated the process of receiving this tag with their application through the Association of traditional Bodo weavers. To this achievement

"The 'Bodo Aronai', a small, beautiful cloth (1.5-2.5 meters long and 0.5 meter wide), also has the GI tag now following the application by the Association of Traditional Bodo Weavers."

Now when we are taking pride in GI tags received by products do, we really think that these products will bring economic and financial benefits to the community while making it specific to a certain geographical location. Questions arise on how are we going to stop cultural appropriations of these products in large brands without giving due credit to its ethnic origin? Are we ready to deal with their misuse with the help of AI? Is GI tag enough in protecting outflow of ethnic knowledge? Can we restrict industries in mass production of these GI tag items which were once considered as home-grown products? All these questions are related to the credibility of GI tag. Encompassing problems like these Buch and Trivedi writes about the actual economic and commercial benefits which rarely tackle down to the grassroot artisans. They argue about the 'real right' of artisans. According to them 'India features a comprehensive legal mechanism for GI protection', but this mechanism falls short for the larger benefit of the people associated with product. They further ask for a roadmap for policymakers. This roadmap would be for the implementing changes in intellectual property laws which can work practically for the people associated with handloom sector (Buch & Trivedi, 2021). When we think about these concerning aspects of the law in terms of Bodo artisans we get to see a grim scenario. Even after receiving GI tag for Aronai, local artisans are not getting their space in the commercial market for its sale. Entire lower Assam, a major part of BTAD gets to see readymade products supplied from business entrepreneurs outside the state, mostly from West Bengal and Surat. This has become a major issue for local handloom weavers. Here in this case the indigenous knowledge of motifs used in Aronai is not specific to any particular individual rather it is a part of a collective knowledge of this community. In such a circumstance the intellectual property rights fail to protect the collective rights of the people of a region. It has been clearly mentioned by the world trade organisation that

"Intellectual property rights are the rights given to persons over the creations of their minds. They usually give the creator an exclusive right over the use of his/her creation for a certain period of time." (Intellectual property rights, WTO).

Here this collective knowledge is somehow is not included.

It is not only with handloom products that Bodo people are getting setbacks but also with other GI products. Within this region and even outside it Napham, onla, Narzi, Maibra Jwu are produced and sold in the market without sharing financial benefit with Bodo people. This community is facing problems with getting community ownership and losing in benefit

sharing. With unauthorised adaptations many GI tagged products are losing their cultural meaning. It's happening mostly because of avoiding the truth of collective rights for on products which carry heritage of a community. Rights belonging to communities rather than individual includes traditional knowledge, songs, motifs, folk dance, cultural expressions etc. are to be protected with another layer beyond GI.

Conclusion:

It can be concluded by saying that GI tag can bring prestige to a product along with protection under law but it fails in preserving the collective rights of a community. When we decide to protect heritage and culture we must consider in understanding heritage as a shared reality. Protection of indigenous knowledge, heritage and culture won't be successful without acknowledging the collective right of the people living in that culture and carrying forward its heritage.

References:

1. Borthakur, Abhilasa Kousik, et al. "Indigenous Technical Knowledge Practiced by the Bodo Farmers of Darrang District of Assam." *Journal of Entomology and Zoology Studies*, vol. 9, no. 2, 2021, pp. 600-602.
2. "Bodoland Secures 21 GI Tags, Tribal Communities to Gain Economic, Cultural Protection." *The Statesman*, 2024, www.thestatesman.com/india/bodoland-secures-21-gi-tags-tribal-communities-to-gain-economic-cultural-protection-1503482245.html. Thirteen applications approved 29 Nov. 2023; eight approved 31 May 2024.
3. Buch, Nidhi, and Hetvi Trivedi. *Geographical Indications of Indian Handlooms: Between Legal Right and Real Right*. Routledge India, 2023.
4. Chakrabarty, Shambhu Prasad, and Ravneet Kaur. "A Primer to Traditional Knowledge Protection in India: The Road Ahead." *Liverpool Law Review*, vol. 42, no. 3, 2021, pp. 401-427. doi.org.
5. Deka, Anamika Kalita, et al. "Methodology of Ethnic Cereal-Based and Fruit-Based Beverages of Bodo Community of Assam." *Journal of Ethnic Foods*, vol. 12, art. 23, 12 June 2025.
6. "Eight Products Used by Assam Tribe Granted GI Tag." *The Hindu*, 1 Oct. 2024, 10:08 p.m. IST, www.thehindu.com/news/national/gi-tags-for-bodo-rice-beers-and-other-culinary-delights/article68706590.ece.
7. GeographicalIndicationinIndia https://en.wikipedia.org/wiki/Geographical_indications_in_India, 8April,2026
8. Kp, Sreenath, and Anson C. J. "Geographical Indications and Traditional Cultural Expressions: A Comparative Legal Analysis of the GI Laws of Indonesia and India and a Case Study Analysis." *The Journal of World Intellectual Property*, vol. 26, no. 3, 2023, pp. 339-356. doi.org.
9. Ministry of Home Affairs, Government of India. "North East Division." Ministry of Home Affairs, Government of India, <https://www.mha.gov.in/en/divisionofmha/north-east-division>. Accessed 18 July 2026.

10. Pathak, Namrata, and Rustam Brahma. "Cultural Practices and Indigenous Traditions of the Garo and Bodo: Reinterpreting 'Man-Nature' Convergences in Wangala and Bathou." *Environmental Humanities in India*, Springer Nature Singapore, 2024, pp. 49–68.
11. World Intellectual Property Organization. *The Protection of Traditional Knowledge: Draft Articles*. WIPO/GRTKF/IC/47/14, Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, 5–9 June 2023.
12. Intellectual Property: Protection and Enforcement." World Trade Organization, https://www.wto.org/english/tratop_e/trips_e/intell_e.htm. Accessed 28 June 2026