Basmati and GI tag

GS-PAPER-3 IPR

India is the only producer of premium Basmati and it has been grown from time immemorial in the Indo-Gangetic Plains (IGP) area of India and 18 districts of Pakistan’s Punjab. It had been a tough battle for the country to protect Basmati name from the encroachment of various nations which all came out with their own versions of Basmati.

- APEDA got GI tag for the region located in IGP below the foothills of the Himalayas, spread across seven states (Himachal Pradesh, Jammu and Kashmir, Punjab, Haryana, Uttarakhand, Western Uttar Pradesh (26 districts) and Delhi) in May 2010.
- Reasons Given: The origin and reputation of Basmati rice as a ‘long-grain, aromatic rice’ from the IGP is found in tradition, folklore, scientific and culinary literature and political-historical records.
  - Dehraduni Basmati, Amritsar Basmati and Tarawari Basmati are few varieties which have become famous over the period of hundreds of years.

Claims and Efforts Made by Madhya Pradesh:

- MP claims that its rice possesses the same characteristics and qualities as that of the rice grown in the IGP.
- It also claims that nearly 80,000 farmers of the state are growing Basmati in 13 districts and exporting worth Rs. 3,000 crore annually.
- MP appealed in Madras High Court where its plea was rejected in February 2020.
- In 2016, Intellectual Properties Appellate Board (IPBA) in Chennai had given the decision in favour of the APEDA.
- Despite these orders, MP has been repeatedly agitating and raising banter through political and bureaucratic channels.

- Basis of Rejection:
  - Under the World Trade Organisation Trade-Related Aspects of Intellectual Property Rights (WTO TRIPs) agreement, physical attributes are not enough for a product to earn a GI tag.
  - As per the Goods (Registration and Protection) Act in 2003, ‘reputation’ to a geographical area is central to the recognition of a GI product and only seven states have that reputation.
  - MP falls in the Madhya Bharat Pathar (plateau) and started cultivation of varieties of Basmati rice only around the middle of the first decade of this century.
  - Even if the rice grown in MP has all the required characteristics it would
not still entitle such rice to qualify as Basmati.

- **Possible Effects of Inclusion of MP in GI list:**
  - It will **nullify APEDA’s efforts to secure and protect Indian Basmati** since 1995 by taking up over 1,000 legal actions in nearly 50 countries.
  - APEDA has spent around Rs. 250 crores in promoting Basmati rice, defending its GI status and shaping it into a global brand.
  - If MP gets permission, **Pakistan and China will grab the opportunity** to start sowing Basmati. **All those 50 and more nations who had been restricted** from calling any of their aromatic rice with even ‘Basmati-like’ names will also **start growing it and contend for its status**.
  - It will **deprive over 20 lakh farmers of seven states from the economic premium** of growing this unique product. Therefore, the commercial considerations cannot be sacrificed for expanding the area of GI.