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## THE IMPACT OF GEOGRAPHICAL INDICATIONS ON AGRICULTURAL DEVELOPMENT AND FARMER'S LIVELIHOOD IN INDIA

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### ABSTRACT

*Geographical Indications (GIs) are an important form of intellectual property rights that identify products as originating from a specific region, where their quality and reputation are closely linked to geographical factors. In agriculture, especially in a diverse country like India, GIs play a significant role in distinguishing unique products shaped by local climate, soil conditions, and traditional knowledge. Recognized internationally under the TRIPS Agreement and regulated in India by the Geographical Indications of Goods (Registration and Protection) Act, 1999, GIs provide legal protection and promote fair trade practices. This study highlights the importance of GIs in enhancing farmers' income, supporting rural development, and preserving biodiversity and traditional farming methods. It also examines how GI-tagged products such as Darjeeling Tea and Basmati Rice gain market recognition and premium value. However, despite these advantages, challenges such as low awareness, inadequate marketing infrastructure, and limited global access hinder their effective implementation. Therefore, understanding the impact of GIs in agriculture is*

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*essential to fully utilize their potential for economic growth and sustainable rural livelihoods.*

**KEYWORDS:** Geographical Indications (GI), TRIPS Agreement, World Intellectual Property Organization (WIPO), Geographical Indications of Goods (Registration and Protection) Act 1999, Paris Convention.

## INTRODUCTION:

Geographical Indications (GIs) represent a category of intellectual property rights that designate products as originating from a particular geographical area, where the quality, reputation, or characteristics of the product are fundamentally linked to its place of origin<sup>2</sup>. The significance of GIs has notably increased within the agricultural sector, especially in nations such as India, where varied agro-climatic conditions lead to the production of unique agricultural goods.

Within the framework of global trade, GIs are acknowledged under the TRIPS Agreement<sup>3</sup> (Trade-Related Aspects of Intellectual Property Rights), which is overseen by the World Trade Organization. This agreement offers legal protection to products that are specific to certain regions, ensuring that only authorized producers are permitted to utilize the GI designation.

In India, the safeguarding of GIs is regulated by the Geographical Indications of Goods (Registration and Protection) Act, 1999<sup>4</sup>, which was implemented in 2003. Since that time, a variety of agricultural products have been registered as GIs, such as Darjeeling Tea, Basmati Rice, and Alphonso Mango. These items are recognized for their unique quality, which is intricately associated with their geographical origin, climate, soil conditions, and traditional knowledge.

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<sup>2</sup> World Trade Organization (WTO), TRIPS Agreement, 1994

<sup>3</sup> Government of India, Geographical Indications of Goods (Registration and Protection) Act, 1999

<sup>4</sup> Das, K. Socioeconomic Implications of Protecting Geographical Indications in India, 2009

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The significance of GIs in agriculture transcends simple product identification. They play a crucial role in rural development, enhancing farmer income, and promoting sustainable agricultural practices<sup>5</sup>. By offering legal recognition and market differentiation, GIs enable farmers to obtain premium prices and shield them from unfair competition. Additionally, GI tagging fosters the conservation of traditional farming techniques and indigenous crop varieties, thus aiding in the preservation of biodiversity.

Nonetheless, in spite of these benefits, the successful application of Geographic Indications (GI) in agriculture encounters numerous obstacles, including insufficient awareness among farmers, inadequate marketing infrastructure, and restricted access to international markets. Consequently, it is crucial to examine the comprehensive effects of GI on agriculture to grasp its potential for promoting economic development and improving rural livelihoods<sup>6</sup>.

## **GEOGRAPHICAL INDICATION (GI):**

Geographical Indications (GIs) denote products that are associated with a particular country, region, or locality, where their quality, reputation, or other attributes are fundamentally connected to that geographical origin. In the GI signifies that a product originates from a specific location and possesses distinctive qualities due to natural elements such as climate, soil, and traditional production techniques. This notion is particularly important in agriculture, where the location significantly influences product quality. A prominent example is Darjeeling Tea, which is globally acknowledged for its unique aroma and flavour that arise from the specific environmental conditions of the Darjeeling region in India.

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<sup>5</sup> Rangnekar, D. *The Socio-Economics of Geographical Indications*, 2004

<sup>6</sup> FAO (Food and Agriculture Organization). (2018). *Strengthening Sustainable Food Systems through GI*

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The safeguarding of Geographical Indications has evolved through international legal frameworks. The Paris Convention for the Protection of Industrial Property<sup>7</sup> offers an initial foundation for such protection, where Article 1(2) encompasses indications of source and appellations of origin within the realm of industrial property, while Articles 10 and 10b prohibit misleading indications and unfair competition. These provisions are designed to avert the deceptive use of geographical names and promote fair trade practices. The Lisbon Agreement for the Protection of Appellations of Origin further enhanced international protection by specifically focusing on appellations of origin.

A thorough framework for GI protection is established under the TRIPS Agreement<sup>8</sup>, overseen by the World Trade Organization. Articles 22 to 24 of the TRIPS Agreement specifically address GIs: Article 22 defines GIs and offers general protection, Article 23 provides additional protection for wines and spirits, and Article 24 delineates exceptions and negotiation provisions. These articles guarantee consistent standards for GI protection among member nations.

In India, the protection of Geographical Indications is governed by the Geographical Indications of Goods (Registration and Protection) Act, 1999, which came into effect from September 15, 2003. The act is overseen by the Controller General of Patents, Designs, and Trademarks, they facilitate the registration and safeguarding of GI products, ensuring that only licensed producers from the designated geographical area are permitted to utilize the GI label. In terms of benefits to developing countries, one of the most advantageous aspects of the Indian act is the comprehensive definition given to the term "generally accepted" (GI). Goods are eligible for Geographical Indications (GI) includes agriculture, handicrafts and Manufactured commodities. The designation of Darjeeling Tea as the first GI product in India underscores the

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<sup>7</sup> Paris Convention for the Protection of Industrial Property (Articles 1(2), 10,10b)

<sup>8</sup> TRIPS Agreement, Article 22-24, under the World Trade Organizations

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significance of legal safeguards in preserving authenticity and preventing exploitation.

Consequently, Geographical Indications establish a robust connection between a product and its geographical origin be it a country, region, or locality and are bolstered by international agreements and domestic legislation aimed at fostering equitable trade, protecting producers, and conserving traditional knowledge.

## **HISTORICAL BACKGROUND:**

The evolution of Geographical Indications (GIs) illustrates a gradual shift from the informal acknowledgment of products tied to specific regions to the establishment of formal legal protections at both national and international levels. Historically, agricultural products were inherently linked to their geographic origins due to unique environmental and cultural influences; however, the lack of legal safeguards resulted in rampant imitation and exploitation in commerce. This issue led to the incorporation of "indications of source" in the Paris Convention for the Protection of Industrial Property, specifically in Article 1(2), along with additional protections against unfair competition as outlined in Articles 10 and 10b. Nevertheless, these measures provided limited protection and were not enforceable across different jurisdictions.

A notable transformation took place with the introduction of the TRIPS Agreement by the World Trade Organization in 1994, which established GI protection as a mandatory requirement for member states. Articles 22 to 24 formulated a comprehensive legal framework, necessitating countries such as India to develop specific domestic laws. In light of these international obligations and growing concerns regarding the unauthorized appropriation of Indian agricultural products like Basmati Rice in international markets, the Indian Parliament passed the Geographical Indications of Goods (Registration and Protection) Act in 1999. This Act, which became effective in 2003, represented a significant policy measure aimed at safeguarding the economic interests of farmers and maintaining the integrity of

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indigenous agricultural traditions. It instituted a legal framework for the registration, enforcement, and prevention of unauthorized exploitation of GI products.

The impact of this legislative framework on agriculture has been both structural and economic. Firstly, it has enabled the formal recognition of region-specific agricultural commodities such as Darjeeling Tea, which became the first registered GI in India, thereby setting a precedent for other products. Secondly, GI protection has contributed to value addition in agriculture by allowing producers to differentiate their goods in competitive markets and command premium prices. Thirdly, it has reinforced traditional agricultural practices by linking product quality to geographical conditions and indigenous knowledge systems. This has had positive implications for sustainability and biodiversity conservation.

However, the impact remains uneven due to implementation challenges. While the legal framework exists, many farmers lack awareness, institutional support, and access to marketing channels necessary to fully benefit from GI registration. As a result, the transformative potential of GIs in agriculture is often constrained at the grassroots level. Therefore, while the enactment of GI legislation by Parliament represents a significant milestone, its effectiveness largely depends on policy execution, farmer participation, and integration with rural development strategies.

## **GI AND THE LAW:**

Geographical Indications (GIs) are legally safeguarded under both international and national regulations to avert misuse and to protect the economic interests of producers. On the international stage, the TRIPS Agreement established by the World Trade Organization offers a comprehensive legal framework for the protection of GIs, particularly through Articles 22 to 24. These articles mandate that member nations, including India, create domestic legislation to safeguard products whose quality and reputation are intrinsically tied to their geographical origins. In India, this

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requirement resulted in the formulation of the Geographical Indications of Goods (Registration and Protection) Act, 1999, which was implemented in 2003 and establishes a legal system for the registration, enforcement, and protection of GIs.

The legislation protects Geographical Indications in **three primary ways** are,

**Firstly**, through statutory protection (sui generis system), where a dedicated law such as the Indian GI Act, it grants exclusive rights to registered users. This guarantees that only authorized producers from a specific region are permitted to utilize the GI label. For instance, only producers from the Darjeeling area are allowed to sell their product as Darjeeling Tea, thus preventing unauthorized usage and ensuring authenticity. This type of protection is the most direct and thorough, as it is specifically tailored for GIs.

**Secondly**, GIs are safeguarded through trademark law, particularly in the form of certification marks or collective marks. In this framework, a GI can operate similarly to a trademark that certifies the origin and quality of a product. This method is adopted in certain countries where legislation specific to GIs may be limited. Trademark law aids in preventing consumer confusion and protects the reputation associated with products linked to specific geographical areas.

**Thirdly**, protection is afforded through legislation aimed at preventing unfair competition and passing off, as acknowledged in the Paris Convention for the Protection of Industrial Property, particularly in Articles 10 and 10b. These regulations forbid false indications of origin and misleading practices that deceive consumers. Even without formal registration of Geographical Indications (GIs), producers are entitled to pursue legal recourse against competitors who falsely assert geographical origin or replicate GI products.

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Collectively, these three approaches statutory protection, trademark law, and laws against unfair competition establish a robust legal framework for the protection of Geographical Indications. They serve not only to deter misuse and safeguard consumers but also to augment the economic value of agricultural products, bolster rural economies, and maintain traditional knowledge systems.

## **EXAMPLES OF GI:**

### **Tirupati Laddu:**

Tirupati Laddu represents a unique intersection of Geographical Indication (GI), trademark protection, and judicial enforcement in India. The product is prepared and distributed exclusively by the Tirumala Tirupati Devasthanams (TTD), the authority managing the Tirumala temple dedicated to Lord Venkateswara. Recognizing the commercial misuse and imitation of the name "Tirupati Laddu" by various traders and sweet shops, TTD initially explored trademark protection and later secured GI registration to safeguard its intellectual property rights. The GI registration was facilitated with the support of the Confederation of Indian Industry's Andhra Pradesh Technology Development and Promotion Center (APTDC), highlighting institutional efforts to protect culturally significant products<sup>9</sup>.

The need for legal protection arose due to widespread misuse of the name "Tirupati Laddu" in the market, where several unauthorized sellers marketed similar products using deceptively similar names. This not only misled consumers but also diluted the sanctity and reputation of the original product. In response, TTD initiated legal action, and significantly, the Madras High Court restrained a Chennai-based sweet shop from selling laddus under the name "Tirupati Laddu," thereby affirming the enforceability of GI rights and principles of passing off. The court recognized that such unauthorized use amounts to infringement and unfair competition, reinforcing protections also

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<sup>9</sup> Government of India, GI Registry. CII - APTDC reports on GI facilitation

recognized under the Paris Convention for the Protection of Industrial Property (Articles 10 and 10b)<sup>10</sup>.

Beyond legal protection, the uniqueness of Tirupati Laddu lies in its religious and cultural significance, as it is first offered to Lord Venkateswara before being distributed to devotees as prasadam. This inherent sanctity distinguishes it from ordinary commercial products. The laddu is prepared using specific ingredients such as wheat flour, sugar, ghee, cardamom, and dry fruits, following a standardized method within the temple premises.

Thus, the case of Tirupati Laddu illustrates how GI law, supported by trademark strategies and judicial intervention, effectively prevents misuse, protects cultural heritage, and ensures economic benefits. Academic studies emphasize that such enforcement mechanisms are essential for the success of GI systems, as they translate legal recognition into practical protection and market value<sup>11</sup>.

### **Dindigul Thalappakatti Biryani:**

Dindigul Thalappakatti Biryani is a well-known regional food product from Tamil Nadu, recognized for its distinct taste, preparation method, and cultural identity. Originating from the town of Dindigul in India, this biryani is uniquely prepared using seeraga samba rice, specific spices, and a traditional cooking process that differentiates it from other varieties of biryani. The name "Thalappakatti" itself has historical roots, referring to the traditional turban worn by the founder, which later became associated with the brand and product identity<sup>12</sup>.

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<sup>10</sup> Madras High Court decision on misuse of "Tirupati Laddu", also see Paris Convention for the Protection of Industrial Property, Articles 10 and 10b

<sup>11</sup> Das, K. (2009); Gangjee, D. (2012); FAO (2018) on GI enforcement and economic impact.

<sup>12</sup> Government of India, GI Registry; regional food studies on Dindigul cuisine

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Unlike products such as Tirupati Laddu, which are protected through institutional control, the case of Dindigul Thalappakatti Biryani demonstrates the overlap between Geographical Indication and trademark law. The term "Thalappakatti" has been registered and protected primarily as a trademark by private business entities, leading to legal disputes over unauthorized use of the name. Courts in India have addressed cases where other restaurants attempted to use similar names, holding that such usage could mislead consumers and amount to passing off. These rulings reinforce the importance of protecting reputation and goodwill associated with region-specific products<sup>13</sup>. Although the GI registration of Dindigul Biryani emphasizes its geographical uniqueness, the trademark protection of "Thalappakatti" highlights how commercial branding can coexist with geographical identity. According to research by Gangjee (2012) and Rangnekar (2004), such overlaps often create legal complexities, as GI rights are collective in nature, while trademarks are privately owned<sup>14</sup>. Nevertheless, both forms of protection aim to prevent misuse, ensure product authenticity, and protect consumer interests. From an economic perspective, the recognition and protection of Dindigul Thalappakatti Biryani have contributed to the growth of local businesses and increased the visibility of regional cuisine. It has also strengthened the link between food products and their place of origin, thereby promoting culinary tourism and local employment. However, scholars note that without proper awareness and enforcement, the benefits of GI protection may not fully reach small-scale producers<sup>15</sup>.

Thus, the case of Dindigul Thalappakatti Biryani illustrates the interaction between GI and trademark law, highlighting both the opportunities and challenges in protecting region-specific food products in a commercialized environment.

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<sup>13</sup> Indian court decisions on trademark disputes involving "Thalapakatti" and passing off principles.

<sup>14</sup> Gangjee, D. (2012); Rangnekar, D. (2004) on GI Vs trademark conflicts

<sup>15</sup> FAO (2018); DAS, K. (2009) on economic impact of GI products

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## **GI AND MARKET DIFFERENTIATION:**

Market differentiation represents a strategic method whereby producers set their products apart from competitors in the marketplace by emphasizing distinctive features such as quality, origin, production techniques, or reputation, thus establishing a competitive edge. This differentiation is especially crucial in agriculture, where many products tend to be homogeneous (for instance, grains and fruits). By employing strategies such as branding, certification, and notably Geographical Indications (GI), producers can convey superior or unique attributes to consumers. The differentiation based on GI is officially acknowledged under the TRIPS Agreement, which safeguards products whose qualities are intrinsically tied to their geographical origins. This mechanism aids in mitigating information asymmetry by offering reliable information regarding product authenticity and quality. Moreover, entities like the Food and Agriculture Organization highlight that differentiation allows farmers to transition from competition based on price to competition based on value, enabling them to obtain premium prices and tap into niche markets, including those for exports. Research backed by the World Intellectual Property Organization indicates that products labeled with GI often benefit from heightened consumer trust and brand loyalty, as they embody tradition, culture, and specific regional traits. Furthermore, differentiation promotes sustainable agricultural practices, as the preservation of the unique quality of GI products frequently necessitates the conservation of local resources and traditional techniques. In summary, market differentiation not only enhances profitability for producers but also contributes to rural development and the sustainability of agriculture in the long term.

## **IMPACT OF GI ON AGRICULTURE:**

Geographical Indications (GI) are crucial in enhancing agricultural results by associating products with their geographical origins and upholding quality standards.

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The World Intellectual Property Organization (WIPO) states that GI labels assist in identifying products whose quality, reputation, or characteristics are fundamentally linked to their geographical source. This relationship motivates farmers to implement standardized and traditional farming methods, resulting in consistent quality and boosting consumer trust in products like Darjeeling Tea and Basmati Rice.

From an economic standpoint, GI certification greatly increases farmers' earnings by allowing for premium pricing and improved market access. The Food and Agriculture Organization (FAO) reports indicate that GI products tend to excel in export markets due to their distinct identity and assured quality. This not only fortifies rural economies but also generates additional job opportunities in sectors related to processing, packaging, and marketing within agriculture.

Moreover, GI encompasses a significant environmental and sustainability aspect. Research cited by the World Trade Organization (WTO) indicates that GI frameworks foster sustainable agricultural practices by promoting the conservation of local biodiversity and minimizing reliance on intensive chemical inputs. Given that the uniqueness of the product relies on natural elements such as soil, climate, and traditional knowledge, farmers are encouraged to sustain ecological balance and safeguard their natural resources.

Socially, GI contributes to the preservation of cultural heritage and traditional knowledge systems. It recognizes the collective contribution of local farming communities and strengthens their identity. However, literature also points out challenges such as lack of awareness, high certification costs, and weak enforcement mechanisms, which can limit the benefits of GI for small farmers. Despite these constraints, most studies conclude that GI remains a powerful tool for enhancing agricultural development, ensuring product quality, and promoting sustainable rural livelihoods.

## **CERTIFICATION OF PRODUCT QUALITY:**

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The certification of product quality constitutes a formal procedure that guarantees products adhere to specific standards of safety, consistency, and performance prior to reaching consumers. As stated by the International Organization for Standardization (ISO), certification offers documented assurance that products, processes, or services conform to established quality requirements.

In the realm of agriculture, certification systems hold particular significance as they foster trust in food safety and quality. For instance, certifications associated with geographical origins, such as Basmati Rice and Darjeeling Tea, ensure that products retain their distinctive characteristics and comply with set production standards.

Within the agricultural domain, quality certification is crucial for enhancing marketability and bolstering consumer confidence. Organizations such as the Food and Agriculture Organization highlight that certification systems enable farmers to access premium markets by assuring buyers of the authenticity, safety, and quality of products. The certification processes typically encompass inspection, testing, and adherence to predefined standards, which aids in mitigating the risks of adulteration and counterfeit products in the marketplace. Furthermore, certification facilitates international trade by ensuring that agricultural products satisfy global quality standards. The World Trade Organization notes that standardized certification systems diminish trade barriers by aligning quality expectations across nations. This alignment enables certified agricultural products to compete more effectively in international markets, thereby enhancing export opportunities and increasing farmers' incomes.

Nonetheless, obstacles such as elevated certification expenses, insufficient awareness among small-scale farmers, and inadequate monitoring systems can hinder the efficacy of quality certification initiatives. In spite of these challenges, product quality certification is a vital mechanism for ensuring food safety, enhancing agricultural productivity, and fortifying both domestic and export markets. Ultimately, it plays a

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significant role in fostering sustainable agricultural development and safeguarding consumer interests.

## CONCLUSION:

In conclusion, Geographical Indications (GI) had a substantial and beneficial influence on agriculture by associating products with their geographical origins and guaranteeing quality, authenticity, and traditional significance. GI assists farmers in upholding standardized and sustainable agricultural practices, which in turn enhances product quality and boosts consumer confidence. Furthermore, it increases the market value of agricultural products such as Basmati Rice and Darjeeling Tea, resulting in greater income for farmers and improved rural development.

In general, GI not only bolsters agricultural productivity and encourages export opportunities but also preserves cultural heritage and indigenous knowledge. Despite certain challenges, including a lack of awareness and enforcement difficulties, GI continues to be a crucial instrument for advancing the agricultural sector, supporting rural livelihoods, and fostering sustainable development.

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