

# Impact of Geographical Indication tag on Banarasi Bracade and Sarees

Syed Jahid Abdullah

LLM in Corporate Law ( IPR), School of Public Policy and Law, Assam Rajiv Gandhi University of  
Co –operative Management, Sibsagar , Assam

## Abstract

Geographical Indication (GI), according to the World Intellectual Property Organization, is an intellectual property right identifying a commodity which is specific to a particular geographical region. Its unique characteristic features, quality and reputation are all attributable to this region where the commodity first originated. GI's however do not extend any protection to products or production methods, instead they provide to the producers of that particular commodity the exclusive right to use the distinctive sign conferred to them to identify their products.

## Introduction

Registration of GI Tags in the Handloom sector was put in place to safeguard the identity and authenticity of a product and to help enable the original producers and artisans to produce the same quality of products for their economic benefits. In India, out of the 332 GI Tags about 65 of them are Handloom products. Handloom products are provided with the GI Tag protection with the specific intent to prevent any “free riding” on the reputation of the considered GI product. Apart from the legal protection which comes with the GI Tag, the certificate of being a GI product brings with it the guarantee of quality and distinctiveness, for which the consumers are prepared to pay the premium prices attached to these products. Thus, GI tagging enables the producers to differentiate between their goods in the market from the mass-produced imitation product and aids to communicate the differences between the power-looms products which benefit from high volume, low quality and mass marketing. This was one of the many reasons why it was of urgent importance for the Banaras Brocade and Sarees to be given the GI Tag.

Banaras brocades and sarees: why was it of importance to provide UP's ancient and famous silk-weave the GI tag?

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The earliest mention of weaving in Banaras finds mention in the Rig Veda. Dating back to 1500 BC to 500 BC, the Vedic text mentions weavers as *Tantuvayas* who make clothes of various types such as cotton, silk and brocades.

The reference of weaving from **Kasi** was found in **talesofJataka** and in the writings of **Kautilya** and **Patanjali**. At that time, the weaves from **Kasi** was known as “**Kasika Vastra**” or “**Kasiyani**”. Even Ramayana mentions that the great king Ravana adorned himself with golden and brocade clothes.

As per Buddhist legends it is believed that after the **Mahaparinirvana** of Lord Buddha, his mortal remains were wrapped in Banarasi fabric that emanated red, blue and yellow rays. These references in Buddhist literatures do point to the fact that brocade was existent in Varanasi since then

The Banaras handloom industry enjoyed continuous fame and popularity . It prospered and stained a new direction at the advent of the Muslim rulers, The Muslim weavers learnt this art and they excelled in it. They were known as “*Chira-i-Baaf*” which means supreme weavers. The Muslim rulers interchanged ideas from Persia and Iran. Banarasi Zari , Brocade , silk attained new height during the Mughal period. From the period of Akbar the earlier animal motifs on brocades were given up. Instead Persian designs were introduced by the Persian *Nakshabandhs* who were brought to India by Mughals. It is said that Emperor Jahangir was also an expert of brocades and Empress Nur Jahan had a great love for them.

Many foreign travellers also gave various accounts of Banaras silk and brocades. Ralph Fitch, an English traveler who visited Varanasi in 1583 described of the fabric being “*fine as the filmy webs and spider weavers*”. Another French traveller, Tavernier who visited India during 1665 AD wrote about the affluence of the Banaras silk and brocade industry. The Banarasi textiles were exported all over the world during the 17th century AD.

### **What are brocades?**

Brocade is a speciality of Banarasi fabric. It is literally a cloth of

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gold! The term brocade is derived from the Latin word brocade meaning to prick. It a weave in which patterns are created by driving the **Zari** thread between the warp at calculated intervals so that a new design in made. The pure form of Zari is actually a thread drawn of pure gold. However, today Zaris are now not made of gold or silver!

In Banaras, brocade is also known as **kinkhab** or **Kamkhwab**. It literally translates into a golden dream (**kin** means golden and **khab** means dream) or a fabric seldom seen in dream (**kam** meaning scarcely and **khwab** meaning dream). It was a heavy fabric woven all over with gold. It was truly something to dream of!

The presence of the Banaras brocade dates back to the Mughal Period. During this period brocades with beautiful designs mainly using gold and silver threads were known to be a specialty of Banaras. The city of Banaras and its neighbouring area is considered to be the main centre of brocade weaving and about 85% of the total number of weavers belong from there. Most of the original weavers who make the Banarasi sarees have all acquired the skill and know-how from their family, who have been weaving for generations.

What is a Sari ?

**Sari**, also spelled **saree**, principal outer garment of women of the Indian subcontinent, consisting of a piece of often brightly coloured, frequently embroidered, silk, cotton, or, in recent years, synthetic cloth five to seven yards long. It is worn wrapped around the body with the end left hanging or used over the head as a hood.

#### **Banarasi Sarees :**

The saris are among the finest saris in India and are known for their gold and silver brocade or zari, fine silk and opulent embroidery. The saris are made of finely woven silk and are decorated with intricate design, and, because of these engravings, are relatively heavy. The Banarasi Saree is a piece of art, with its intricate motifs and abundant use of gold or silver thread, and is almost synonymous with weddings in India as most brides

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prefer to don the gorgeous Sari to make a statement during her wedding. But making one of these statement pieces requires expertise, finesse and abundance of patience. Patience and finesse are probably the main elements required to make one of these Sarees since creating one of these pieces can take a weaver any time between a three to four weeks up to almost 6 months. Sometimes it could be longer, if the designs are complicated, unique and intricate.

#### **Types of Banarasi Silk Sarees Based on fabric**

**Pure Silk or Katan:** In this pure silk sarees are made with beautiful patterns. Earlier handlooms made these wonders, but now powerlooms have replaced the handlooms.

**Georgette saree:** It is plain weave saree having light weight and open texture fabric.

**Organza:** it is richly woven fabric having beautiful golden brocade patterns and designs.

**Shattir:** It is used to make the contemporary Banarasi silk designs.

#### **Types of Banarasi Saree Based on design:**

**Banarasi Silk Jamdani:** This is said to be the finest Banarasi silk saree. Here the silk saree is brocaded with cotton thread and rarely with zari threads. Cutwork sarees are less expensive versions of Jamdanis.

**Jangla saree:** In this silk threads are used to make a saree with intricate patterns and motifs. This is said to be the oldest of Banaras brocades.

**JamwarTancoi Saree:** This saree is designed by using extra colourful weft for silk pattern. The brocade design takes inspiration from the Jamwar shawls of Kashmir.

**Butidar Saree:** In this the most attractive feature is the pattern of gold or silver or both on the silk.

Traditionally, the weaving was done with **Naksha drawlooms**, which was introduced in India during 990 AD.

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The heddle system as we see today was introduced in the 16th century by Khwaja Abdul Samad Kashmiri, who came to Banaras during Akbar's reign. With the help of the heddle loom, it became easy for the weavers to introduce various floral and artistic designs with ease.

The **jacquard loom** was introduced in Benaras during the 1930s. Jacquard looms were a great help to the weavers.

Designs for the weaving are made by artists known as *Nakshaband*, they are master craftsmen in Benaras. They create the beautiful designs that are to be replicated on the Banarasi silk sarees. The

designs are made on graph paper usually white in colour. The colour concept is also made along with it. For jacquard loom, the graph is punched on hard cards. Different colours and threads are used then to knit the punch cards on the loom.

But as times changed, with the increase in volume and demand and with the rise of power-looms, the original weavers and their self-funded handlooms were suffering greatly. The original producers saw an urgent need to classify the Banaras Brocade and Sarees for mainly the following reasons:

#### 1. **The Advent of power-looms:**

The power-looms churned out in mass, similar looking imitation products of the original handloom Banarasi Sarees and were making it available to the public. These are made with computerised designs, as opposed to the authentic handiwork of the original producers. This not only caused great losses to the original producers of the authentic Sarees, but also to consumers, who not knowing the difference between the mass-produced power-loom products from the authentic handloom ones ended up paying excessive prices for these imitation Sarees. The problem was found closer to home. In the 80's and 90's there was a rise of power-looms in Banaras as well. They use these power-looms to give the Saree a "Banarasi look". Labour productivity is roughly ten times greater than the handlooms, even if the power-loom is really old. Considering the factor of wages, the hourly wages of both handloom and power-loom weavers are approximately the same, yet the power-loom made Sarees are being sold as handloom ones at much higher prices, thereby increasing the revenues for power-loom weavers and merchants. This is in gross violation of the Handloom Reservation Act, 1985, which pre-dates the GI Legislation that restricts and restrains the mechanized production of a specific kind of fabric which is specifically reserved for handlooms. In

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absence of any stringent application of the legislation, power-loom producers within Banaras and elsewhere were able to make unfettered use of the reputation of the Sarees.

## 2. Cheap material imports:

The power-looms were not only making imitation products, the raw materials being used to make their products were also far inferior than what the original weavers were using. A product known as *kela sarees* or Banana sarees were being sold in the name of Banarasi Sarees. These sarees were produced by using threads made from the banana tree resin which were then polished to give the sheen of a gold or silver thread. Furthermore, Cheap Chinese silk was being used instead of the original *Katan* silk and these low quality sarees have been flooding the markets for the consumers to choose from.

## 3. Mark of distinction:

There was no special or specific mark differentiating the Banarasi Sarees being made in UP with the rest of the country. Cottage and handloom industries are spread across the country and are making an abundance of similar looking Sarees. This was directly affecting the markets of the Banarasi weavers.

The need of the hour was to help the weavers protect the authenticity of a product which was not only a pride of the country, but also internationally famous for its unique design and superior quality.

### Geographical Indication Status of Baneres Brocade and Sarees.

The weavers formed a committee and approached the state government for its support and the GI Application for “Banaras Brocades and Sarees” was filed by 9 organisations mentioned below:

- The Application for Registration was headed by the Banaras Bunkar Samiti, having address at : Sharma Katra, Rangoli Garden, Chouraha, Near Rangoli Garden Restaurant, Sarnath, Varanasi - 221 007, UP and
- Human Welfare Association,
- Joint Director Industries,  
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- Director of Handloom and Textiles, UP,
- Eastern UP Exporters Association,
- BanarsiVastraUdhyog Sangh,
- Banaras Hath Kargha Vikas Samiti,
- Adarsh Silk Bunker Sahkari Samiti, and
- Handloom Fabrics Marketing Cooperative Federation.

The GI tag was granted to “Banaras Brocade and Sarees” on 04th September 2009 and was registered under Application No. 99 in classes 23, 24, 25 & 26. The geographical region wherein the GI was granted does not only restrict itself to the city of Benaras in the areas of Lohta, Bazardiha, Sarai Mohana, Lallapura, Saraiya, Bagwanala and Badi Bazar, but comprises of an area much larger incorporating the five districts of Uttar Pradesh namely, Varanasi (Benaras), Chandauli,

Jaunpur, Bhadohi, Mirzapur and Azamgarh. So as per the GI certificate, Banarasi products fall under four classes (23–26), namely silk brocades, textile goods, silk sari, dress material and silk embroidery. Most importantly this means that no sari or brocade made outside the six identified districts of Uttar Pradesh, that is Varanasi, Mirzapur, Chandauli, Bhadohi, Jaunpur and Azamgarh districts, can be legally sold under the name of Banaras sari and brocade.

### **Problems faced by the weavers**

One of the major problems faced by the weavers is the availability of raw materials. Good quality yarn is no longer available at reasonable prices. The price of the yarn is quite higher and government intervention has not yet helped.

The major problem is the competition from power looms. There has been a phenomenal growth in the number of power looms in spite of regulations. One of the weavers told us that a Banarasi silk saree that takes around 2 months to complete by handloom is done in a day in power loom.

Unfair trade practices are also another reason for the decline of this art. Traders often sell the power loom made sarees as handloom made. A naïve buyer does not usually know the difference between a handloom made saree and a machine made one.

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### **Test for Authenticity of Banarasi Sarees**

Handloom made sarees have small holes at the sides while a power loom one will not.

Pure silk when burnt gives burning hair odour and brittle ash.

Pure silk is lustrous and smooth in touch.

The ring test

Taking any ring and placing it on the fabric and gently pulling the silk through the middle of a jewellery ring then real silk smoothly glide through the ring with no issues, whereas synthetic fibres will usually get caught on the ring or bunch up.

### **Impact of the GI tag on the business of Banaras brocades and Sarees:**

The GI Tag registration in 2009 was an effort that started off in 2006 and was filed by the Banaras Bunkar Samiti with 7 other organizations in July of 2007. Not only in India, but working members of international organizations like United Nations Conference on Trade and Development (UNCTAD), who had worked for the economic and trade benefits for the weavers of Banaras, felt that the GI Tag for Banarasi Brocade and Sarees would turn to be a constructive tool to generate employment to close to 17 lakh weavers in UP itself. UNCTAD was one of the international organizations which facilitated the process of the GI Registration. Find your Feet and Department for International Development were the other international organizations which aided in Banarasi Brocade and Sarees obtaining the GI Tag.

The GI Tag in Banarasi Brocades and Sarees has not only been of aid to the weavers to economically benefit from the recognition of the product, which in turn will increase their incomes, but would also ensure that the authentic quality of the products does not get diluted in the power-looms race to provide below-the-standard products to the average consumer. Before the GI Tag was accorded to the original producers in UP, Sarees produced in Bihar, Surat and Bangalore were also being sold en *masse* to consumers. The GI registration has brought with it a clear distinction as to what constitutes authentic Banarasi Brocade and Sarees from any other look-alike. The standard of the original product, a noticeable increase in production and capacity to market the authentic product from remote areas of UP was made possible under the GI Protection.

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Upon receiving the registration for the GI Tag, The Ministry of Textiles, under direction of the Government of India, established multiple initiatives looking into welfare of the handloom weavers. Handloom Mark, which was one of the initiatives, was started to create a “collective identity” to handloom products in India. Another very important initiative extended to the weavers has been the Health Insurance Scheme For Handloom Weavers or the RashtriyaSwasthya Bima Yojna (or the erstwhile Mahatma Gandhi Bunkar Bima Yojana), post registration, which is available to male or female weavers, their spouse and two children. This scheme is to cover people between the ages of 1 to 80. This scheme was initiated to financially enable the weaver to avail top notch healthcare amenities in India.

Infringement of Banarasi Saree GI Tag

Protecting GIs in foreign jurisdictions is an even tougher task due to the vast expense it entails. Violations can be seen abroad as well. Producers in Bangladesh have been producing Banarasi silk in gross violation of the Indian GI tag. In the year 2018 at International Trade Fair at Guwahati Banarasi Silk sarees were exhibited for sale with the assistance of Bangladesh High Commissioner to India, which was objected by India after weaver’s protest

## Conclusion

With the advent of e-commerce in India, certain online platforms have dedicated to make GI Protected Banarasi Brocades and Sarees easily available to the rest of the world. Holy weaves is one such online retailer working to provide that. They try to promote the authentic handloom weaves on their platform while trying to make the consumers vary from any imposter weaves that may be present in the online marketplaces.

## References

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