

Geographical Indication Act In Lucknow District Of Uttar Pradeshwith Special Reference To One District One Product (ODOP) : Lucknow Chickenkari

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Abstract

Uttar Pradesh Government has launched innovative scheme in 2018 named as One District, One Product mandated to encourage and promote the heritage of Uttar Pradesh from district level itself for rejuvenating the endangered local craft, products, crops etc. in state originated from district. Chikan Kari, Zardozi and Dussahari Mango in Lucknow District of U.P. besides, Chinha Pottery, Kalai work and Zarbuland in National and International markets. These products have found a niche because of the quality associated from their point of origin. Many of these products are GI-tagged, which means they are certified as being specific to that region in Uttar Pradesh. Geographical Indications (GI) play a pivotal role to that played by trademark for the purpose of identification of products. The territorial nature of Intellectual Properties poses another potential problem in International trade as the product may be adequately protected in the country of origin due to legislative mechanisms available locally but may not find the same or similar level of protection in other Jurisdiction where forms of protection could drastically vary. Various conditions give rise to quality of the product such as the soil conditions, climate and human factors etc. Thus Geographical Indications are collective intellectual property rights, which identify a good as originating from a specific geographical region.

Keywords: ODOP, Geographical Indications, Chikenkari

Introduction:

Geographical Indications play analogous role to that played by trademark i.e. both types of IPRs are used for the purpose of identification of products. The key difference is that GIs, while identifying products have a specific point of geographic origin in their creation, while trademarks are not linked to any specific geographical areas. One reason for the development of GIs as a separate branch in the field of IP study is that trademarks as a means of protection create restrictions on the use of geographic terms. Another crucial reason is that GIs are not granted to specific individuals but are regarded as collective rights. That is to say GIs cannot be owned by individuals unlike trademarks. The rights granted by GIs can also not be assigned, transferred, sold or franchised to any other person unlike other forms of IPs.

Geographical Indication (GI) of Goods as the name implies, is an indication^{1,2,3,4,5,6,7}, in the form of name and or sign, used on the goods that have a specific geographical origin and possess qualities or a reputation that are due to the place of origin. GI is a powerful tool to protect the ownership right on the natural resources, natural product and by-products, and manufactured goods based on plants and animals^{8,9,10,11} Uttar Pradesh is not only centre of variety craft but also centre of skilful artisans and product developers. Thus it may be concluded that extremely low numbers of products have received GI registration^{12,13}

The UP government's One District, One Product Programme aims to encourage such indigenous and specialized products and crafts. There are products in UP that are found nowhere viz; the ancient & nutritious 'Kala namak' rice, the rare and intriguing wheat-stalk craft, world-famous chikankari and zari-zardozi work on clothes, and the intricate and stunning horn and bone work that uses the remains of dead animals rather than live ones, a nature-friendly replacement for ivory. Many of these products are GI-tagged, which means they are certified as being specific to that region in Uttar Pradesh. Many of these were also dying community traditions that are being revived through modernization and publication.

Research Methodology:

The study is explorative in nature, coupled with desk and library based research. Comparative approach has been adopted especially while borrowing the experience of protecting GIs by various European Union, United States and India. Although the study is juridical based, the research topic as well as the objectives of the research constrain the investigation of different economic concepts and theories underlying the protection of GIs. Moreover, Cyberspace based research has been employed significantly, in

looking information from different secondary sources such as text books, relevant journal articles, study report on GIs etc. Also, relevant legislation or treaties responsible for GIs protection were looked upon. Qualitative analysis is the method used to analyze data. Analyzing the values of chikankari work was done for research purposes using a qualitative approach. Reports, surveys, Journal studies and academic papers and other sources have been used to acquire secondary data. The research was conducted in order to analyze Lucknow's traditional handicrafts and get knowledge about its varied characteristics. However, Primary data, it entails both the on-site survey conducted for an unbiased examination of the issue and dialogue with customers to ascertain how they view the issue. A structured questionnaire was prepared to collect the primary information for this research. Secondary data was gathered from various web data sources as well as surveys carried out by different research agencies and published in papers, articles, journals, books, press releases, blogs, magazines, and reports on shop sales policies.

Products Identified under ODOP scheme in District Lucknow:

One district one product (ODOP) scheme is innovative initiative first launched and implemented by the Government of Uttar Pradesh in 2018 to revive and promote the heritage of Uttar Pradesh from district level itself. This scheme has a transformative impact in not just rejuvenating the endangered local craft, products, crops etc. in state originated from district level but also in securing the livelihood of rural peasantry engaged in these income generating activities. Chikankari is a traditional embroidery style from Lucknow, Uttar Pradesh. It is one of Lucknow's best known craft. Chikankari is traditional embroidery done using a needle and several types of threads whereas Zari-Zardozi work is made with golden and shiny sequins and other decorative materials. Chikankari work is registered in the G.I. The craft provides employment to a number of artisans.

Lucknow Chikan Craft:

Traditional Chikankari was embroidered on Muslin with a white thread. Gradually the work was started being done on other fabrics like Organdie, Mulmul, Tanzeeb, Cotton and Silk. Presently all types of fabrics, namely Voil, Chiffon, Lenin, Rubia, Khadi Handloom Cloth, Terry Cotton, Polyester, and Georgette. Terry voilet, are used in Chikan Embroidery. The pattern is Block Printed on de-starched fabric using temporary (not fast) dyes. The process of Chikankari undergoes five different stages, namely cutting, stitching, printing, embroidery, washing and finishing. Cutting is carried out in the lots of 20-50 garments. The layouts are done to

minimize wastage of materials. Stitching, often done by the same Person, may be “civil”, done exclusively for higher priced export orders or “commercial”, which is done for cheaper goods. Printing is carried out by the use of wooden blocks dipped in dyes like neel and safeda. After this, the fabric is embroidered by women. The last process, which is washing and finishing, takes about 10-12 days. This includes bleaching, acid treatment, stiffening, and ironing.

The most common motif used is that of a creeper. Individual floral motifs may embellish the entire garment or just one corner. Among the floral motifs embroidered, the jasmine, rose, flowering stems, lotus and the paisley motif are the most popular. In recent years, the beautiful and wide variety of stitches and designs that were on the decline, have been revived. Concerted efforts by government and various private organizations have paid off and today the art of chikankari is flourishing, enriching both the domestic and export market.

The manufacturing process is a very simple phenomenon and Lucknow being the hub of chikan products, being manufactured for generations do not call for any raw material to be imported. Years have rolled on thus bringing in more of creativity and innovativeness in techniques employed for production, designs as well as generating new varieties. Yet, most of the raw materials employed are manufactured at local levels keeping in mind the requirement of the craft. Hence, the craft is best nurtured in its own premises.

Proof of origin/Brief History (Historical Records):

The capital city of Uttar Pradesh has a distinction of producing one of the best embroideries of the world. Chinkankari is an art, which results in the transformation of the plainest cotton and organdie into flowing yards of magic. The word “Chikan” steps from a Persian word derived from the Chic, which referred to the “Jali” work done on marble or wood. It is also famous as “shadow work” or “white embroidery work”, traditionally practiced in the city of Lucknow and its environs. Mehboob Gunj, an area situated in old Lucknow, there is a famous building known as the Mughal Sahiba Ka Imambara. Umtul Sungra Fakkrunissa Begum was the daughter of a Mughal ruler by name Mohammad Ali Shah. She was known by her pet name Mughal Sahiba. She had this Imambara constructed in 1876. The walls of this building have the most intricate chikan designs engraved on it unmatched in beauty. Nowhere in India is an Imambara of such excellence in carving and colour found. This Imambara has a glossy sheen and the colours till

date are still bright because the plaster that was used for the walls has 'Sanjarahat' powder mixed with it. A window of these monuments is in aqua colour has a Chikan design engraved on it and this particular pattern is still copied while embroidering a Saree or a Kurta. Mughal Sahiba died in 1893 on 8th of December and she was buried in this Imambara. Every year a 'Majilis' is held here and during 'Moharram' the holy month of Ramzan "Matam" or mourning, is observed and a feat on fire is performed in the court yard of this Imambara.

People from all sections of the society come here to pay homage, especially the chikan workers. The Nawab's had highly developed taste for richly embroidered garments. The reason may be the climatic condition of Lucknow. As the climate of Lucknow was hot, heavy garment embroidered with gold and silver threads were not suited for summer wears. As such they preferred fine muslin garments with chikan embroidery. The stitches practiced as murri, bakhia, jali, Tepchi, dhun and khatao. At that time, about 3,500 workers out of which 1500 are skilled and the rest are unskilled live in the artistic work. The productions are valued at 13.25 lakhs consisting of sarees, kurtas and blouse pieces. There has been mention of chikan embroidery on silk, georgette, nylon, cambric, during that period. Quite a number of new items like furnishing, table covers, tray covers, napkins, lunch sets, dinner table covers were also introduced during the period by bringing diversification in the chikan craft as well as creating new scopes and markets to the product.

Chikanis a type of white work, that is to say white embroidery on white fabric, with predominantly floral designs executed on fine cotton with untwisted threads of white cotton, rayon or silk. It is embroidery that has evolved over centuries, reach in gift speak in the late nineteenth century in Lucknow. True chikan has the unique property of being limited to a fixed repertoire of stitches, each of which is only ever used in a certain way. This repertoire consists of thirty-two stitches (five of which are common to other forms of embroidery), five derivatives and seven stitches that in them form an embossed shape, usually a leaf or petal. These small individual petals help identify chikan. In most embroidery areas of pulled thread work, balance the stitchery.

It is a craft practiced mainly by Muslims of Kolkata in West Bengal and Lucknow of Uttar Pradesh and the Bengali work was mainly used for the European market; However no trace of it remains to day, in Kolkata. In Lucknow embroiderers worked under the patronage of the local courts. When these declined in the mid nineteenth century chikan changed from a professional activity of

mentoa cottage industry for women. It is now a significant industry in Lucknow and adjacent districts.

Its discipline gives chikana pleasing unity but allows for creativity in the choice of combinations of stitches, still within their role of infilling or outlining a design, or creating a shape. It is a discipline shared by no other type of embroidery in the world. Another major characteristic of Chikan, not shared by other white work, is its great contrast in texture. The embroidery on one piece will range from fine pulled thread work executed with one thread to heavily embossed stitches. The best work combines the delicacy of one with the chunky quality of the other.

Though classified as white work, some of the most beautiful chikan of Lucknow (but never that of Bengal) used threads of the wild yellow silk of Assam and Bengal to accentuate pattern in only three stitches of the repertoire. The background fabric has always been washable: normally fine white cotton, but occasionally thin coloured silk. The resplendent eighteenth-century court of Oudh shifted between Faizabad and Lucknow, attracting scholars, jewellers, metal workers, embroideres and other craftsmen from the declining courts of Delhi and Murshidabad. The rich and powerful Nawab Shuja-ud-Dualla employed European officers to reorganise his armies, British artists to paint his family and local artisans to embroider, enamel and encrust with jewels magnificent ceremonial artifacts: huqqas for smoking tobacco through water and pan sets for chewing spices. On his death in 1775, his successor, Asaf-ud-Duala, moved the court to Lucknow and pitched his tastes to ever greater opulence, presiding eventually over a toy-town charade of caparisoned palaces. More artisans flocked to his luxury-loving courts and Sir George Watt, writing on the Indian arts in 1903, suggests that it was at this period of the late eighteenth century that chikan embroidery that Lucknow, though it was for gold and silver embroidery that Lucknow was then renowned throughout India.

The decline of the courts through the early nineteenth century and the Mutiny of 1857 reduced Lucknow to poverty and distress, from which it only gradually recovered as trade was boosted by the railways, built by the British after the Mutiny taught them the importance of easy communications in ruling their Indian empire. In this commercial setting Chikan embroidery received and trade replaced patronage.

Location:

Initially the product was produced in the district of Lucknow in

Uttar Pradesh. Covering an area of 2528 Sq. Km., Uttar Pradesh's capital city Lucknow encompasses the stretch ranging from 26°30' to 27°10' North latitude and 80°30' to 81°13' East longitude .With the increase in the popularity of the product the art is nearby districts also started practicing the same profession. However due to the growing popularity of the product the artisans of the nearby districts are also practiced the craft making. Now the Chikankari Craft is also produced in the districts Barabanki, Hardoi, Unnao, Sitapur, Sultanpur and Raibareilly

Method of Production:

The process of Chikankari undergoes five different stages, viz. namely cutting, stitching, printing, embroidery, washing and finishing. Cutting is carried out in the lots of 20-50 garments. The manufacturing process is a very simple and Lucknow being the hub of chikan products, being manufactured for generations does not call for any raw material to be imported. Years have rolled on thus bringing in more of creativity and innovativeness in techniques employed for production, designs as well as generating new varieties. Yet, most of the raw materials employed are manufactured at local levels keeping in mind the requirement of the craft. Hence, the craft is best nurtured in its own premises. The percentage distribution of the fabric components used for embroidery is as follows:

Distribution of the fabric components used for embroidery (%)

S. No.	Type of Fabric	Percentage Component
1.	Muslin	100% Cotton.
2.	Terry Rubia	48% Polyester, 52% cotton
3.	Terry Voil	100% Polyester
4.	Kota	100% Cotton
5.	Georgette	100% Polyester
6.	Chiffon	100% Polyester
7.	Pure Silk	100% Silk
8.	Temeric	100% Cotton
9.	Lon	100% Cotton

The cloth is then sent for cutting to the required size and pattern based on the garment designs to be produced from that material. As many as 25 to 150 pieces could be sent in one lot, taking about 3 to 5 days lead time. The master cutters mostly operate in their

own shops or homes, but a few perform their work in the manufacturer's workshop. The more expensive and special the design/material, the better the cutter master has to be and the more closely is the work coordinated. After cutting the material returns to the manufacturer and is then sent for tailoring of the garment as per the design. The tailored garments then go to the master printers for marking the patterns that are to be embroidered. Teakwood printing blocks, typically of 2"-12" width, are made by specialist block-makers in old Lucknow. Though blocks can last several years, they now need to keep changing faster due to design trends.

The designs of chikan are transferred to the fabric by means of carved wood blocks. These designs belong to the Mughal tradition of decorative arts: tiny petals, floral sprays and tendrils contrasted with a dominant flower head or leaf. The choice of each particular design rests with the woodblock carver. His skill and that of the embroiderer are interdependent: a master embroiderer needs a finely carved pattern to work; a master carver needs a skilled embroiderer to execute his design. The printer after receiving the fabrics and necessary inputs from the manufacturers and the blocks from the block makers started the process of printing the fabrics. The printing mixture consists of "Neel" (Indigo, such as Robin Blue) for light shades of fabric and white/silver based colours for darker shades, with Gum as a binding agent. The actual marking is done entirely manually, applying the mixture using blocks. Work is usually carried out at the printers' homes or shops in the city or nearby regions. As many as 50-60 garments can be printed daily, and altogether a bath may take 1 day to 1 week for the complete cycle. Once the printing is over a contractor/manufacturer now takes over for the embroidery, which is the actual chikan work and subsequent stages.

Uniqueness:

The Chikan craft is famous for its unique quality and intricate designs. The uniqueness of the Lucknow Chikan Craft lies in the following:

- a. **Unique stitches:** About 40 different stitches are used for Lucknow Chikan embroidery. These embroideries are unique in its discipline i.e. each stitch is used for one purpose only.
- b. **Motifs:** From the middle of 16th to early 17th century, the weavers borrowed motifs from manuscripts and illustrations. In Qajar there was much use of a motif like a billowing comma known as Buteh-bush, which was probably introduced from

India and in Britain acquired the name 'Paisley'. Abu Fazal describes Akbar as a lover of nature, fruits, and plant. These designs were adapted on the garments and these flower patterns are found in most of the embroidery.

- c. **Paisley:** The most popular motif in chikan embroidery is one in by cross pollution and Western fashion taste was the one to be called Paisley. It was probably the most ubiquitous of all designs to come from India and was never out of date. From the 18th century it was woven into exquisite Kashmiri shawls and became the favorite design all over the world.
- d. **Hindi-Urdu-Flower:** It is one of the most important motifs of Mughal Indian art consisting of a floral spray with stylized leaves and flowers. Motifs known as Buta or Butis is designed after a single flower or figure not joined to a connected pattern. The word But is seems to be a derivation of the Latin word "Butia" denoting a composition of a shrub or flowers into a pattern. It is used in architecture and painting and in textiles enamel almost in all decorative arts.
- e. **Geometrical Pattern:** Among the geometrical pattern mention must be made of vertical, horizontal, diagonal, zigzag and stripes. These were used independently or to enclose a pattern in compartments or closed figures called 'jals.'
- f. **Process of Stitching:** Holding the background fabric under tension is a pre-requisite of all embroidery technique. This is normally achieved by stretching it over a frame. In case of Chikan embroidery no frame is used. The fabric is stretched around the index finger and wedged between the other figures to hold it in a position. The little finger is sung across the palm to restrain the fabric still further. The thumb is free end used to control the progress of the needle. The suppleness of hand these movements, demand results from generations of working Chikan embroidery and is impossible for most people to emulate.
- g. **Printing of fabrics:** One of the important stages of the production is the printing of the fabrics with different designs by using woodblock. The procedure involved in the process of printing of the fabrics brings about uniqueness in the development of the embroidery work. In the process the printers use different gums and dyes for incorporating the designs from the woodblocks to the fabrics for carrying out the embroidery work. The dye used is made up of different varieties of gum trees and which is dried into small lumps. The

best quality is from the babul trees (*Acacia Arabica*) and looks like amser. A darker and more appaque gum are from the Dhak tree. First the pieces of gum are boiled in water and while boiling the powder dye is added to form an emulsion.

Inspection Body:

Steps are being taken by the applicants to setup a suitable, independent and effective inspection body involving external members. The inspection body consisting of the following members has been constituted.

1. Director, Department of Handlooms & Textiles, Government of Uttar Pradesh.
2. Joint Export Commissioner, Export Promotion Bureau, Govt. of U.P. Lucknow
3. Director (Market Research), Textile Committee Govt. of India.
4. Two Master Artisans.
5. The Kalatmak Hastshilp SHG Foundation, Lucknow.

Products of Lucknow Chichenkari:

1. **Cap** – Panchgoshia Irani round cap with white and golden thread having five petals flower on the top centres with five moons around which indicate the Arabic inscription, with beautiful murri, Phanda and kangan work with lovely motif flowers and petals all around the cap without leaving any cloth without work.
2. **Chapkan** - A combination of Achkan and Angrakha with upper half of the costume of Achkan with buttons or hooks and the daaman [flare] of Angrakha, very fine white and golden chikankari designs, Murri, kangan, jali and shadow work. Golden thread indicates royal or the richer classes.
3. **Angrakha** - Angrakha on mulmul beautiful murri and Jali work on the neck front daaman, Turanj on pusht and four Turanj on daaman murri work on shoulders. Murri and Hathkati work on the vest line and sleeves with beautiful flowery pattern.
4. **Kurta**: Kurta is made of soft cotton fabric, and has beautiful embroidery work on it. It is styled so very contemporarily with shirt collar and full sleeves, that it can be worn with jeans or trousers. A very easy fit and ultimate comfort is guaranteed
5. **Kurta-Kameez**: Kameez on mulmul with delicate shadow work and Hathkati on the neck tabeej, daaman and cuffs with

beautiful turanjwihpusht and daaman with lovely jali work on pusht and collar. Specially tailored with chunnats on the cuffs and double Kaaz for using cuffling.

6. **Appliqué angrakha:** Appliqué angrakha with lovely patterns on neck, front, pushts shoulders a kamaan on pushts lovely workmanship on chaaks and sleeves. In appliqué work the pattern is very neatly stitches under the cloth and image or impression of the motif appears on the top of the cloth.
7. **Chikan T-shirt Kurta:** Latest in trend this Mens Kurta in soft poly cotton fabric is decked with beautiful hand embroidery in Lakhnavi Chikankari work.
8. **Embroidered Sherwani** - The chikan embroidery is also incorporated in the Sherwani; an exquisite hand embroidered Sherwani with beautiful work on the neck and placket is also prepared.

SWOT Analysis:

At present, more than 2.5 lakh artisans are making this embroidery on different products like Kurta, pyjama, kameez, shirts, ladies wear, sarees, home furnishings etc. In fact, the art style is unparalleled in its flexibility and versatility and has always permitted experimentation and encouraged innovation. SWOT (strength, weakness, opportunities and threats) analysis of Lucknow Chikankari craft helps in our research facing problems.

a. Strengths:

- This craft is old and regal.
- Each piece of Lucknow Chikankari Craft hand embroidery is made with great skill by the artisans and each piece reflects their unique art.
- Started getting this craft on different types of clothes.
- The demand this craft has started happening in foreign market.

b. Weakness:

- Time taken process.
- Artists get very less money for doing hand embroidery, due to which only a few artists are left who do this art skillfully.
- The originality of this art or craft is getting lost.

c. Opportunities:

- A lot of scope ahead in this product line.
- Export by making a craft product.
- Creating daily lifestyle products for the changing lifestyles of society product line.

d. Threats:

- Competitors include printed and machine-embroidered items.
- As a result of globalization, Pakistani or other similar products may be introduced into India.

Conclusion:

From the above evaluation and discussion it is evident that in the Lucknow District of Uttar Pradesh (India) there are many products which might qualify and be choosing for ODOP and GIs Internationally. There is no research conducted to evaluate and assess which products may qualify registration and hence be protected as ODOP and GIs. Also even those products which have reputation linked to their place of origin are not well defined and their production processes are not documented. For this purpose The Federation of Indian Micro and Small and Medium Enterprises (FISME) is planning to set up an IPF centers U.P. State Government is focused on ODOP programme.

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