

## A STUDY OF INTANGIBLE CULTURAL HERITAGE IN INDIA: CHALLENGES, FRAMEWORKS, AND LIVING TRADITIONS

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### **ABSTRACT**

*India's intangible cultural heritage (ICH) represents a vast repository of living traditions, including oral epics, ritual performances, craftsmanship, and knowledge systems. Unlike tangible monuments, ICH is dynamic, community-driven, and vulnerable to socio-economic shifts and globalization. This paper examines the scope, significance, and challenges of safeguarding India's ICH within the framework of UNESCO's 2003 Convention. It analyses key case studies—such as Kutiyattam Sanskrit theatre, the Durga Puja of Kolkata, and Rajasthani folk music traditions—to illustrate the tension between preservation and evolution. The study finds that while legal instruments like the Sangeet Natak Akademi and the Ministry of Culture's schemes exist, gaps remain in documentation, intellectual property rights, and intergenerational transmission. The paper concludes by advocating for community-centric, adaptive safeguarding models that balance authenticity with living practice.*

*Keywords: Intangible cultural heritage, India, UNESCO, safeguarding, living traditions, oral epics, folk arts.*

### **1. INTRODUCTION:**

Heritage is conventionally understood through monuments, artefacts, and archaeological sites. However, the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage shifted attention to the “living” dimensions of culture: oral expressions, performing arts, social practices, rituals, festive events, and traditional craftsmanship (UNESCO, 2003). For India, a civilisation with over 2,000 distinct ethnic groups and 1,600 spoken languages (Census of India, 2011), ICH is not a relic but a lived reality. From the Vedic chanting traditions to the nomadic storytelling of the Rajasthan's Bhopas, ICH structures daily life, identity, and social cohesion. Yet, India faces acute challenges: rapid urbanisation, the decline of hereditary knowledge systems, inadequate

legal protection for folklore, and the commodification of traditions for tourism. This paper asks: How is India's intangible cultural heritage defined, documented, and protected? What are the principal threats, and how can safeguarding be re-imagined? Drawing on government reports, UNESCO files, and ethnographic studies up to 2022, the paper offers a critical overview.

## 2. Conceptual Framework and UNESCO Definitions:

Under the 2003 Convention, ICH is defined as “practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage” (UNESCO, 2003, Article 2). It is transmitted orally, constantly recreated, and provides a sense of identity and continuity.

India ratified the Convention in 2005. By 2022, India had inscribed 14 elements on the UNESCO Representative List of the ICH of Humanity, including:

- Kutiyattam (Sanskrit theatre, 2008)
- Ramlila (traditional performance of the Ramayana, 2008)
- Mudi yettu (ritual theatre of Kerala, 2010)
- Kalbelia (folk songs and dance of Rajasthan, 2010)
- Durga Puja in Kolkata (2021)

Each inscription acknowledges community participation but also raises questions about representation and frozen authenticity (Smith, 2006).

## 3. Legal and Institutional Framework in India:

India's approach to ICH is fragmented. The primary cultural authority is the Ministry of Culture, supported by autonomous bodies:

- Sangeet Natak Akademi (established 1952): Documents and promotes performing arts.
- Indira Gandhi National Centre for the Arts (IGNCA) : Maintains the National Cultural Audiovisual Archives (NCAA) with over 10,000 hours of ICH recordings (IGNCA, 2021).
- Anthropological Survey of India (AnSI) : Conducted the People of India project (1985–1994), documenting 4,635 communities, though with a bias toward tangible traits (Singh, 2002).

Unlike France or Japan, India has no specific ICH law. The Antiquities and Art Treasures Act (1972) and the Copyright Act (1957, amended 2012) offer partial protection. The Traditional Knowledge Digital Library (TKDL, 2001) prevents biopiracy of Ayurveda and yoga but does not cover oral folklore or ritual practices. Scholars like Kapoor (2019) argue that the absence of a sui generis ICH law leaves communities vulnerable to misappropriation.

#### **4. Key Threats to ICH in India:**

##### **4.1. Erosion of Transmission Mechanisms**

Most ICH is transmitted within families or caste-based guilds (gharanas, shilpigramas). Economic pressures push younger generations toward formal employment. For example, the Chitrakathi scroll painters of Odisha have seen practitioner numbers drop from 300 families (1950s) to fewer than 20 active artists (2020) (Mohanty, 2018).

##### **4.2. Commercialisation and Tourism**

While tourism can generate income, it often decontextualises rituals. The Kalbelia dance, originally a snake-charmer community's devotional performance, is now shortened to 10-minute hotel shows with synthetic costumes (Jain, 2015). UNESCO's 2021 evaluation of Durga Puja noted growing pressure to "stage" rituals for global audiences (UNESCO, 2021).

##### **4.3. Intellectual Property Gaps**

Traditional designs (e.g., Kalamkari, Pattachitra) are freely reproduced without community benefit-sharing. The Geographical Indications of Goods (Registration and Protection) Act (1999) covers products like Darjeeling tea but not intangible processes. A case in point: the Sohrai ritual paintings of Jharkhand have been mass-marketed by urban firms with no royalties to the original Santal artists (Chakravarty, 2020).

#### **5. Case Studies of ICH in Practice:**

##### **5.1. Kutiyattam: UNESCO's Model of Revitalisation**

Kutiyattam (Kerala) is one of the oldest living Sanskrit theatre forms. In 2001, UNESCO declared it a "Masterpiece of the Oral and Intangible Heritage of Humanity." Post-2008, the government funded two Kutiyattamkalamandalam (conservatories), offering stipends to hereditary Chakyar and Nambiar communities.

However, Narayanan (2019) notes that formal training institutes have “brahmanised” the art, reducing female participation from traditional Nangyar roles. This shows how safeguarding can inadvertently alter community dynamics.

## 5.2. Durga Puja (Kolkata) – 2021 Inscription

Unlike static monuments, Durga Puja is a temporary, immersive festival involving months of craft, music, and community bonding. The UNESCO nomination file emphasised the role of para (neighbourhood) committees – an egalitarian funding model. Post-inscription, the West Bengal government launched a “Heritage Ambassadors” programme to train youth in documentation (GoWB, 2022). Yet critics (Choudhury, 2021) argue that the inscription has accelerated “theme-based” commercial pandals, overshadowing traditional clay-modelling rituals.

## 5.3. Folk Music of Rajasthan: The Maand and Pabuji Ki Phad

Maand (semi-classical romantic ballads) and Phad (scroll-singing of epic hero Pabuji) are transmitted by hereditary Bhopa singers. A 2020 study by the Jaipur Virasat Foundation found that only 12 active Bhopa lineages remain. Digital archives (e.g., Rajasthan Sangeet Natak Akademi’s 2021 online portal) have recorded 450 hours of oral epics, but community consent protocols were weak – a recurring ethical issue (Sharma, 2022).

## 6. Strategies for Safeguarding (Beyond UNESCO):

Effective safeguarding requires more than inventory-making. Based on 2022 evidence, three approaches show promise:

1. Community-Based Inventorying: Following Bhutan’s model, India’s National Mission on Cultural Mapping (2020–21) mapped 6.6 million artists, but the data is rarely returned to communities. Pilot projects in Gujarat (Kutch Mahila Vikas Sangathan, 2021) successfully used participatory video to document Rogan art.
2. Living Heritage Schools: The Guru-Shishya parampara can be adapted into state-supported residencies. The Kala Vidya centre in Kutch (2012–2022) combines traditional apprenticeships with business literacy, increasing artisan incomes by 40% (Mehta, 2022).
3. Digital Intangible Heritage (DIH) with Rights Management: The TKDL model could be extended to folklore through a Creative Commons–based registry. The Indian Digital Heritage Space (IIT Bombay, 2020) prototypes blockchain for provenance tracking of ritual knowledge.

## 7. CONCLUSION:

India's intangible cultural heritage is both a testament to civilisational depth and a fragile resource threatened by modernity's homogenising forces. While UNESCO listing brings prestige and funding, it is not a panacea. The deeper challenge lies in respecting ICH as living practice – allowing it to change while preventing erasure. India urgently needs a national ICH Act that enshrines community rights, separate from copyright law. Furthermore, universities must integrate ICH documentation into anthropology and folklore curricula, training a new generation of ethical practitioners. Ultimately, safeguarding is not about freezing traditions in a museum case but about ensuring that a Bhopa's daughter can sing of Pabuji's valour with equal pride in 2050.

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