

PREFACE

The propagation of Indigenous Knowledge through the mechanism of Intellectual property law shows how urgent the need is for a better understanding of the relationship between Medico-spiritual healers and the concerned authorities in Sikkim, and illustrates some of the dilemmas in which the Sikkimese people find themselves as the need to build some measure of understanding between these two is necessary. It also explains the perspectives of the researcher as they embark on writing this thesis. Medico-spiritual healing practice is considered a pivotal health care service for the treatment of patients from various diseases. It is ironical that Medico-spiritual healer's who provides health care service to the needy, at the same time is considered vulnerable to the Sikkimese society. This is primarily due to lack of a legal framework both in terms of State and National level to promote and protect this form of traditional healing practice. Therefore, introduction of a proper balanced legal frame work by the concerned authorities to promote and protect the healers would be the foremost criteria for creating a healthy healing environment. What is required is a positive attitude towards the proper implementation of the rules and guidelines, and then only successful management of Medico-spiritual healing practice would be possible.

Study of Medico-spiritual healing practice in Sikkim as traditional management of human ailments indicates that the study area is rich in its medicinal plants composition and the associated indigenous knowledge possessed by the healers. The extensive uses of these medicinal plants specify that there is good harmony on the efficiency of their medicinal properties. The traditional medicinal floras are fundamental to the rural cultures. The healers are conversant about the plant life, their distribution, application and conservation. This is further promoted and safeguarded by cultural and spiritual practices.

The issues associated with protecting Medico-spiritual healing practice in Sikkim are deeply concerned with the structural inability of State and National law to give the Sikkimese people control of their healing practice, heritage and communities. The absence of legal protection of these healers and there beneficiaries in State and National level is disturbing. As Medico-spiritual healers, they have had more than their share of adversity and tragedy because of the denial of the manifestation of legal protection. The State and National law

should embrace and celebrate this universal healing culture and intellectual diversity for the richness and depth this Medico-spiritual healing practice brings to life on earth from a small State of Sikkim.

The establishment of concrete legislations and appropriate databases of National recognition for addressing the burning concern of the Medico-spiritual healers in Sikkim for protection of their Traditional Knowledge Intellectual Property rights are some of the steps which are yet to be taken. The grant of Traditional Knowledge Digital Library registrations to Medico-spiritual healing practice prevalent in Sikkim, establishment of patent rights and benefit sharing models are stepping stones towards Traditional Knowledge protection. The modalities for protecting Medico-spiritual healing practice are still emerging and evolving and therefore the measures for doing so is at a flexible stage. The Medico-spiritual healers and their beneficiaries in Sikkim should be aware of Intellectual property right issues because traditional healing medication is a national wealth, which prompted the researcher to undertake the research work with a view to understand the present scenario of Medico-spiritual healing practice in Sikkim.