

## PROTECTION OF CONSUMERS AND FOOD SAFETY IN INDIA

**AUTHOR** – DR. MAHENDRAKUMAR S. YADAV, IN-CHARGE PRINCIPAL AT M.K.E.S COLLEGE OF LAW, MUMBAI, UNIVERSITY OF MUMBAI. EMAIL – [MAHENDRAYADAV@REDIFFMAIL.COM](mailto:MAHENDRAYADAV@REDIFFMAIL.COM)

**BEST CITATION** – DR. MAHENDRAKUMAR S. YADAV, PROTECTION OF CONSUMERS AND FOOD SAFETY IN INDIA, *INDIAN JOURNAL OF LEGAL REVIEW (IJLR)*, 5 (2) OF 2025, PG. 43-46, APIS – 3920 – 0001 & ISSN – 2583-2344.

This article is published in the collaborated special issue of M.K.E.S. College of Law and the Institute of Legal Education (ILE), titled “Current Trends in Indian Legal Frameworks: A Special Edition” (ISBN: 978-81-968842-8-4).

### ABSTRACT

The protection of consumers and food safety is a critical aspect of public health and economic stability in India. With increasing globalization, urbanization, and changing food habits, ensuring consumer rights and food safety has become imperative. This study explores the scope of consumer rights in India, focusing on the legal frameworks, including the Consumer Protection Act, 2019, and the Food Safety and Standards Act, 2006.

It highlights the key rights of consumers, the role of regulatory bodies like the Food Safety and Standards Authority of India (FSSAI), and initiatives to promote food safety. Challenges such as unregulated markets, food adulteration, lack of consumer awareness, and resource constraints are discussed.

Recommendations emphasize strengthening enforcement, enhancing consumer awareness, fostering collaboration among stakeholders, and adopting technological innovations to ensure transparency in food supply chains. The study concludes that prioritizing consumer welfare and food safety is essential for public health, trust in markets, and sustainable economic growth in India.

**Key Words:** Consumer Protection, Consumer Rights, Consumer Protection Act, Food Safety and Standards Authority of India, Food Adulteration

### Introduction

Consumer and food safety are crucial components of public health and economic stability in any country. In India, the protection of consumers and ensuring food safety have gained significant attention over the years due to increasing globalization, rapid urbanization, and evolving food habits. Food safety and the protection of consumers are critical issues in India, given the country's vast population and the diverse nature of its food industry.

In India, consumer protection and food safety are governed by various laws, policies, and

regulatory authorities to ensure that consumers are provided with safe, high-quality products and services. Ensuring safe and nutritious food is essential for public health, economic growth, and overall national development. In India, a consumer is defined broadly under the **Consumer Protection Act, 2019**, as any person who:

**Buys goods or avails services for consideration:**

The goods or services can be purchased or used for personal or household use.

The consideration can be paid, promised, or

partly paid and promised.

#### **Includes online and offline transactions:**

A consumer can engage in transactions through various means, such as traditional shops, e-commerce platforms, or digital payments.

#### **Excludes commercial purposes:**

A person who buys goods or services for resale or for commercial purposes is not considered a consumer, except in cases where goods are purchased for self-employment, like tools or equipment.

#### **Objectives**

- To study about consumer rights related to food safety.
- To study the legal frame work for food safety in India.
- To explore the challenges in protection of consumers and food safety.

#### **Examples of Consumers in India**

- A person buying groceries for their home.
- An individual subscribing to streaming services like Netflix.
- A farmer purchasing fertilizers for their crops.
- Someone hiring a taxi through a ride-hailing app like Ola or Uber.

#### **Rights of Consumers in India**

The Consumer Protection Act ensures certain rights, such as:

- The right to be informed about the quality, quantity, and price of goods and services.
- The right to choose freely among various options.
- The right to be heard and to seek redressal for grievances.
- The right to protection from hazardous goods and services.

If a consumer's rights are violated, they can file complaints with **consumer commissions** established under the Act, depending on the value of the transaction or grievance.

#### **Legal Framework for Consumer Protection in India**

India's consumer protection laws aim to safeguard consumers from unfair trade practices, fraud, and unsafe goods. The cornerstone legislation is the **Consumer Protection Act, 2019**, which replaced the earlier Act of 1986. This Act introduces several robust measures, including:

**Consumer Rights:** The Act provides six fundamental rights, such as the right to safety, information, redressal, and a fair hearing.

**Central Consumer Protection Authority (CCPA):** Established under the Act, the CCPA has the power to investigate complaints, enforce recalls, and impose penalties.

**E-Commerce Regulation:** The Act also addresses e-commerce platforms, ensuring transparency and accountability in online transactions.

In addition to this, other laws like the **Essential Commodities Act, 1955**, and the **Prevention of Food Adulteration Act, 1954** (now replaced by the Food Safety and Standards Act) play a pivotal role in protecting consumers.

#### **Food Safety Regulations in India**

Food safety is a critical aspect of consumer protection. Unsafe food can lead to severe health issues, including foodborne diseases, malnutrition, and even fatalities. Recognizing this, the **Food Safety and Standards Authority of India (FSSAI)** was established under the **Food Safety and Standards Act, 2006**. Key initiatives by the FSSAI include:

1. **Regulation and Standardization:** Setting benchmarks for food products to ensure quality and safety.

2. **Inspections and Monitoring:** Conducting routine inspections and random sampling of food items to ensure compliance.
3. **Awareness Campaigns:** Launching campaigns like "Eat Right India" to promote safe and healthy eating habits.
4. **Licensing and Registration:** Mandating food businesses to obtain licenses and adhere to food safety norms.

### Challenges in Consumer and Food Safety

Despite a comprehensive legal framework, India faces several challenges in ensuring consumer and food safety:

1. **Unregulated Markets:** Informal markets and street vendors often bypass safety norms.
2. **Food Adulteration:** The intentional addition of harmful substances to food remains a pressing issue.
3. **Awareness Gaps:** Many consumers lack awareness of their rights and the availability of redressal mechanisms.
4. **Infrastructure and Resources:** Inadequate testing facilities and trained personnel hinder effective enforcement.

### The Way Forward

To strengthen consumer and food safety in India, a multi-pronged approach is essential:

1. **Strengthening Enforcement:** Authorities need more resources, advanced technology, and skilled manpower for efficient enforcement.
2. **Consumer Awareness:** Public education campaigns must be intensified to empower consumers with knowledge about their rights and safe food practices.
3. **Collaboration:** A coordinated effort between government agencies, businesses, and civil society organizations is vital to tackle the issue

holistically.

4. **Innovation:** Leveraging technology, such as blockchain, can enhance transparency in food supply chains.

### Conclusion and Recommendations for Practical Implementation

The protection of consumers and food safety is both a legal and moral responsibility. While India has made significant strides in this area, continuous efforts are required to address existing gaps. A safe and informed consumer is not only a healthier individual but also a catalyst for a stronger, more resilient economy. By prioritizing consumer welfare and food safety, India can ensure the well-being of its citizens and build trust in its markets. The protection of consumers and food safety is a shared responsibility involving the government, businesses, and consumers. While India has made strides in creating a robust legal framework and launching impactful initiatives, sustained efforts are needed to overcome challenges and ensure that every citizen has access to safe, nutritious, and high-quality food. Strengthening infrastructure, raising awareness, and fostering collaboration are essential steps toward achieving this goal.

#### 1. Strengthening Inspections:

Allocate more resources to expand the reach and frequency of food inspections, especially in informal markets.

#### 2. Public Awareness Campaigns:

Design multilingual, culturally sensitive campaigns targeting rural and semi-urban populations to raise awareness of consumer rights and food safety practices.

#### 3. Encouraging Whistleblowers:

Create incentives and protections for individuals reporting violations of food safety and consumer rights.

#### 4. Simplifying Complaint Mechanisms:

Streamline consumer complaint

systems, making them accessible through mobile apps, local government offices, or community centres.

5. **Mandatory Food Labeling:**

Enforce stricter norms for food labeling, including details about nutrition, allergens, and expiration dates, to empower consumers to make informed choices.

**References**

1. Consumer Protection Act, 2019: Government of India, Ministry of Consumer Affairs, Food, and Public Distribution. Available at: <https://consumeraffairs.nic.in/>
2. Food Safety and Standards Act, 2006: Food Safety and Standards Authority of India. Available at: <https://www.fssai.gov.in/>
3. Publication: Goel, R., & Sharma, A. (2021). *Consumer Rights and Food Safety: A Legal Perspective in India*. Journal of Consumer Policy, Springer.
4. Research Article: Gupta, S., & Singh, P. (2020). *Challenges in Food Safety Regulation in India*. International Journal of Food Science and Technology.
5. News Articles and Reports:
  - o "Consumer Rights in India: An Overview," The Hindu.
  - o "Food Safety in India: Challenges and Solutions," Economic Times.

GRASP - EDUCATE - EVOLVE