



Constitutional Dimensions of Consumer Rights: Awareness, Access, and Utilization

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ABSTRACT

This empirical study examines the disparity between public awareness of consumer rights and the constitutional recognition of certain consumer rights violations as violations of Fundamental Rights in India. Although the Consumer Protection Act, 2019 provides statutory safeguards for various consumer rights, judicial interpretation particularly under Article 21 of the Constitution has elevated select consumer interests relating to health, safety, and dignified living to constitutional status. Despite this jurisprudential development, awareness of the constitutional dimension of consumer rights remains limited among the general public. Employing a structured, category-based survey instrument, the study seeks to identify the principal factors influencing consumers' inability to recognize when statutory violations also attract constitutional protection. These factors are classified into six determinants, including inadequate legal knowledge, limited access to digital legal resources, apprehension regarding procedural complexities, reliance on informal sources of information, preference for immediate compensatory relief, and general disinterest in legal rights. The research is directed towards assessing whether judicial expansion of Article 21 has translated into meaningful public recognition and practical engagement with constitutional remedies and seeks to enhance understanding of the practical operation of constitutionally protected



consumer rights and to identify critical areas necessitating improved legal literacy and institutional dissemination of rights-based information.

1. Introduction

The legal regime governing consumer protection in India functions on two distinct yet overlapping levels:

- (1) the statutory protections codified under the Consumer Protection Act, 2019 (CPA 2019), and
- (2) the constitutional safeguards derived from the Fundamental Rights framework, particularly the evolving interpretation of Article 21 of the Constitution.

Over the years, consumer law in India has gradually moved away from the rigid doctrine of *caveat emptor* (“let the buyer beware”) toward a more consumer-centric system. The Consumer Protection Act, 2019 institutionalized this shift by establishing accessible quasi-judicial mechanisms aimed at ensuring fair market behaviour and empowering consumers to assert their claims effectively. However, the contours of consumer protection extend beyond the statutory domain. Through progressive judicial interpretation and public interest litigation, the Supreme Court of India has embedded several consumer-related concerns within the constitutional fabric. The liberal interpretation of Article 21 has expanded the meaning of “life” to include dignity, health, safety, environmental well-being, and access to essential services. As a result, certain consumer rights such as the Right to Health and medical care, the Right to a pollution-free environment, and the Right to Safe and Unadulterated Food have been judicially elevated to the status of Fundamental Rights. This constitutionalizing grants these rights superior enforceability through writ jurisdiction under Articles 32 and 226, offering quicker and more structural remedies when violations occur. Despite the theoretical superiority of Fundamental Rights and the robust architecture of consumer protection mechanisms, preliminary observations and existing literature indicate that consumer awareness remains disproportionately low. Many individuals are unaware not only of their statutory rights under the Consumer Protection Act, but also of the fact that violations relating to health, safety, pollution, or food quality may constitute violations of their fundamental rights. This study seeks to empirically investigate the reason behind the unawareness among consumers about the fact that the violation of certain consumer rights leads to violation of fundamental rights.



2. Review of Literature

The interface between consumer protection law and constitutional rights in India has received growing scholarly and judicial attention. While consumer rights are primarily governed by statutory frameworks such as the Consumer Protection Act, 2019, Indian constitutional jurisprudence has progressively elevated certain consumer related interests to the status of Fundamental Rights, particularly under Article 21 of the Constitution.

2.1. Scholarly Contributions

Avtar Singh, (Singh, 2018) in his work on Consumer Protection Law, explains that the Consumer Protection Act was enacted to provide speedy and inexpensive redressal to consumers and to correct the imbalance of power between consumers and traders. He notes, however, that statutory recognition alone is insufficient if consumers lack awareness of the nature and enforceability of their rights. His analysis highlights the persistent gap between the existence of legal rights and their actual utilisation by consumers.

Upendra Baxi, through his writings on constitutional adjudication and judicial activism, examines the expansion of Article 21 into a source of socio-economic rights. He argues that the Supreme Court's interpretation of the Right to Life has transformed it into a mechanism for protecting dignity, health, and safety interests that directly overlap with consumer protection. However, Baxi cautions that judicial constitutionalization may remain symbolic unless supported by public awareness and institutional accessibility. Similarly, The judicial elevation of certain consumer rights to the level of Fundamental Rights is grounded in purposive and welfare-oriented statutory interpretation, as articulated by **G. P. Singh**, wherein courts harmonize statutory provisions with constitutional values to advance social justice. (Baxi, 1980; Singh, 2016)

2.2. Judicial Recognition of Consumer Rights as Fundamental Rights

The Supreme Court has played a pivotal role in constitutionalising key consumer rights.

The right to health and medical care of workers is an integral part of the Right to Life under Article 21 (Consumer Education & Research Centre v. Union of India, 1995). This judgment laid the foundation for recognising **health-related consumer grievances as constitutional violations rather than mere statutory breaches.**



The Supreme Court emphasized that food safety is not merely a regulatory concern but a constitutional obligation of the State. The Court held that failure to regulate food quality and adulteration amounts to a violation of the right to life (Centre for Public Interest Litigation v. Union of India, 2013). This constitutional approach elevates consumer protection against adulterated food beyond statutory remedies under food safety laws and consumer forums, enabling affected individuals to seek constitutional remedies through writ jurisdiction.

The Court recognised the right to a pollution-free environment as part of Article 21, thereby extending constitutional protection to consumers affected by environmental and industrial hazards (Subhash Kumar v. State of Bihar, 1991). Similarly, in the Oleum Gas Leak case (M. C. Mehta v. Union of India, 1987) the Court emphasised absolute liability of hazardous industries, **underscoring the State's obligation to protect public health and safety core consumer interests.**

The constitutional dimension of food safety and consumer health was further reinforced in (Bandhua Mukti Morcha v. Union of India, 1984), where the Court interpreted the Right to Life to include humane conditions and basic necessities essential for human dignity, **indirectly impacting consumer welfare.**

The Supreme Court strongly condemned false and misleading health claims made to consumers, holding that such practices **violate not only consumer law but also the constitutional right to health under Article 21.** The Court's observations reaffirmed that misleading consumers on health matters amounts to a serious constitutional concern, thereby **strengthening the linkage between consumer protection and fundamental rights.** (Indian Medical Association v. Patanjali Ayurved Ltd., 2024)

3. Research Gap

Although legal scholarship and judicial decisions clearly establish that certain consumer rights particularly relating to health, safety, and environment are protected as Fundamental Rights, existing literature does not sufficiently address whether the public is aware of this constitutional elevation. Most studies focus either on statutory consumer rights or constitutional jurisprudence in isolation. There is limited empirical research examining public understanding of this dual legal framework and the reasons for persistent unawareness. The present study builds upon this literature by empirically analysing public awareness and identifying the dominant causes of unawareness, thereby bridging the gap between constitutional theory and consumer reality.



4.Consumer Rights As Fundamental Rights

Traditionally, consumer rights in India were viewed primarily through a statutory lens, governed by sector-specific legislation and, most significantly, by the Consumer Protection Act, 1986 and its successor, the Consumer Protection Act, 2019. These statutes were enacted to address the inherent imbalance between consumers and market forces by providing a specialized mechanism for redressal against unfair trade practices, defective goods, and deficient services. However, with the progressive expansion of constitutional interpretation by the Supreme Court of India, certain consumer rights have transcended their statutory character and attained the status of Fundamental Rights, particularly under Article 21 of the Constitution of India.

4.1.Constitutional Foundations of Consumer Rights in India:

The protection of consumer interests in India is not confined solely to statutory enactments such as the Consumer Protection Act, 2019. Several constitutional provisions provide a foundational basis for recognizing and strengthening consumer rights, particularly where issues of life, health, safety, and information are involved.

4.1.a)Article 21 – Right to Life and Personal Liberty

Article 21 of the Constitution of India has been expansively interpreted by the judiciary to include the right to live with dignity, health, and safety. The Supreme Court has consistently held that the right to life does not mean mere animal existence but encompasses the right to a quality life free from hazards. In the consumer context, this interpretation extends constitutional protection against substandard goods and deficient services that directly threaten life and health. Defective medicines, unsafe food products, hazardous industrial goods, and negligent medical services have been judicially recognized as violations of Article 21. By constitutionalizing these aspects, the courts have ensured that consumer protection relating to health and safety is treated as a fundamental right rather than a mere contractual or statutory concern.

4.1.b)Article 19(1)(a) – Freedom of Speech and Expression

Article 19(1)(a) guarantees the freedom of speech and expression, which has been judicially interpreted to include the right to receive and access information. In the sphere of consumer protection, this right implies that consumers are entitled to accurate, complete, and truthful information about goods and services. The right to information regarding price, quality, ingredients, risks, and usage is essential for



making informed consumer choices. Misleading advertisements, false claims, and suppression of material facts not only constitute unfair trade practices under consumer law but also infringe the consumer's constitutional right under Article 19(1)(a). Thus, transparency and truthful disclosure by manufacturers and service providers gain constitutional backing.

4.1.c) Directive Principles of State Policy – Articles 39 and 47

The Directive Principles of State Policy, though non-justiciable, play a crucial role in shaping consumer protection policies. Article 39 mandates the State to direct its policy towards securing the welfare of the people by ensuring that economic systems do not result in the concentration of wealth and that material resources are distributed to serve the common good. This provision supports legislative and administrative measures aimed at protecting consumers from exploitation by powerful market entities. Article 47 places a constitutional obligation on the State to improve public health and raise the standard of living. This directive forms the constitutional basis for laws regulating food safety, drug quality, medical services, and public health standards. Together, these provisions reinforce the idea that consumer protection is integral to social and economic justice.

4.2. Interrelationship Between Fundamental Rights and Consumer Protection:

The combined reading of Articles 21, 19(1)(a), and the Directive Principles reveals that consumer rights in India are deeply embedded within the constitutional framework. While consumer protection statutes provide procedural mechanisms and remedies, the Constitution supplies the normative foundation for protecting consumers from life-threatening, deceptive, and exploitative practices. This constitutional support strengthens the enforceability of consumer rights and justifies judicial intervention in matters where consumer welfare intersects with fundamental rights.

4.3. Doctrinal and Theoretical Foundations of Consumer Rights in India:

Consumer rights in India primarily originate from statutory frameworks rather than from express constitutional enumeration under Part III of the Constitution. Unlike classical civil and political rights such as equality, freedom of speech, or personal liberty, consumer rights do not exist as standalone fundamental rights. Instead, they are articulated through legislative enactments, most notably the Consumer Protection Act, 2019, which institutionalizes mechanisms for redressal against unfair trade practices, defective goods, and deficient services. From a doctrinal standpoint, consumer rights are therefore categorized as positive rights created by statute, dependent upon legislative intent and administrative enforcement. However, constitutional theory in India does not view rights as rigidly



compartmentalized. The Supreme Court has consistently adopted a dynamic and purposive interpretation of the Constitution, particularly with respect to Article 21. The jurisprudential expansion of the right to life has enabled the judiciary to absorb socio-economic entitlements into the constitutional framework, thereby blurring the traditional distinction between statutory rights and fundamental rights. This approach reflects the influence of transformative constitutionalism, wherein the Constitution is interpreted as an instrument for social justice rather than a static legal text. From this theoretical perspective, consumer rights though statutorily conferred derive enhanced normative force when they intersect with constitutionally protected interests such as life, health, dignity, and access to information. Judicial decisions recognizing the right to health, safe environment, and unadulterated food as integral to Article 21 exemplify this constitutional absorption of consumer interests. Thus, while consumer rights may not be fundamental rights in form, they assume a fundamental character in substance when violations threaten constitutionally guaranteed values. Scholarly discourse supports this integrated framework. Legal theorists argue that statutory consumer rights operate within a constitutional ecosystem, where their legitimacy is sustained by constitutional values even in the absence of explicit textual recognition. This model recognizes that modern governance necessitates protection against market-based harms that directly affect human dignity and survival, thereby justifying constitutional intervention in consumer matters. Nevertheless, this doctrinal evolution also exposes a critical limitation: constitutional recognition does not automatically translate into effective realization. The absence of explicit textual acknowledgment of consumer rights as fundamental rights creates an interpretive dependency on judicial activism. As a result, the enforcement of constitutional-level consumer rights remains contingent upon public awareness, access to courts, and legal literacy factors that are often unevenly distributed. In sum, consumer rights in India occupy a hybrid doctrinal position: they are statutory in origin but constitutionally reinforced in application. This hybridization reflects India's evolving constitutional philosophy, where the protection of individual dignity in the marketplace is increasingly recognized as a constitutional concern. However, the practical efficacy of this framework depends upon bridging the gap between constitutional theory and social reality a challenge that forms the central focus of the present empirical research.

4.4.Importance of Treating Consumer Rights Violations as Fundamental Rights Violations Despite Statutory Redressal Mechanisms

The Consumer Protection Act, 2019 provides a comprehensive statutory framework for addressing consumer grievances through specialized consumer dispute redressal commissions. These forums are designed to offer accessible, inexpensive, and speedy remedies for violations such as defective goods,



deficient services, and unfair trade practices. However, the existence of a statutory redressal mechanism does not diminish the constitutional significance of consumer rights violations, particularly when such violations implicate life, health, dignity, and environmental safety. On the contrary, constitutional recognition becomes essential precisely because statutory mechanisms alone are insufficient to address the gravity and systemic nature of such harms.

a) Limitations of Statutory Consumer Redressal Mechanisms

While consumer forums play a vital role in resolving individual disputes, their jurisdiction and remedial scope are inherently limited. The primary relief available under the Consumer Protection Act is compensatory in nature, focusing on monetary damages, replacement of goods, or refund of consideration. These remedies are often inadequate in cases involving large-scale public harm, hazardous products, misleading advertisements affecting public health, or environmental damage caused by commercial activities. In such circumstances, constitutional remedies offer a more effective and responsive legal avenue.

b) Constitutional Remedies as Preventive and Structural Tools

When consumer rights violations are treated as fundamental rights violations, affected individuals and groups gain access to writ jurisdiction under Articles 32 and 226 of the Constitution. Unlike consumer forums, constitutional courts can issue wide-ranging directions, including regulatory reforms, enforcement of safety standards, and continuous monitoring through judicial oversight. This preventive and structural approach is particularly important in addressing systemic failures that affect large sections of the population. The Supreme Court's intervention in cases relating to environmental pollution, food safety, and misleading health-related advertisements demonstrates the necessity of constitutional remedies. These interventions go beyond individual compensation and aim to safeguard public welfare, thereby fulfilling the constitutional mandate under Articles 21, 39, and 47.

c) Protection of Non-Derogable Interests

Fundamental rights protect interests that are non-derogable and intrinsic to human dignity. When consumer rights violations endanger life or bodily integrity, treating them as mere statutory breaches reduces their moral and legal significance. Constitutional recognition ensures that such violations are addressed with the seriousness they deserve and reinforces the principle that market activities cannot override human life and dignity. This approach aligns with the Supreme Court's consistent emphasis that economic considerations must yield to constitutional values.



e) Transformative Constitutionalism and Social Justice

The Indian Constitution embodies a transformative vision that seeks to address structural inequalities and protect vulnerable groups. Consumers, particularly in a developing economy, often lack bargaining power, information, and resources. Recognizing consumer rights violations as fundamental rights violations reflects this transformative ethos by extending constitutional protection into the economic sphere. This approach acknowledges that exploitation and harm in the marketplace can be as destructive to human dignity as traditional civil liberties violations. By constitutionalizing consumer protection in cases involving life and health, the judiciary affirms the Constitution's role as a living document responsive to contemporary social realities. The existence of the Consumer Protection Act, 2019 does not negate the necessity of treating serious consumer rights violations as fundamental rights violations. Statutory remedies address individual grievances, whereas constitutional remedies address systemic failures and protect non-derogable interests such as life, health, and dignity. Treating such violations as constitutional wrongs strengthens enforcement, enhances State accountability, and aligns consumer protection with the transformative vision of the Indian Constitution. This doctrinal framework underscores the importance of viewing consumer rights not merely as contractual entitlements but as integral components of fundamental human rights.

5. Statement Of The Problem

Although several consumer rights especially those relating to health, safety, environment, and food have been elevated by the judiciary to the status of Fundamental Rights under Article 21, most consumers in India remain unaware that such violations go beyond statutory breaches under the Consumer Protection Act, 2019. This lack of awareness prevents consumers from identifying constitutional violations and from using stronger remedies such as writ petitions. The core problem of this study is to empirically determine whether consumers can differentiate between statutory and fundamental rights violations and to identify the key factors responsible for their limited awareness of this constitutional dimension.

6. Objectives Of The Study

1. To measure the extent of consumer awareness regarding constitutional rights (Fundamental Rights) related to health, safety, environment, and dignity under Article 21.
2. To determine whether consumers can differentiate between a statutory consumer-right violation and a violation that also qualifies as a Fundamental Rights violation.



3. To identify the major factors that contribute to low awareness of statutory and constitutional rights, based on categorized determinants such as legal ignorance, digital divide, fear of procedural delays, reliance on informal sources, preference for quick settlements, and disinterest in legal rights.
4. To evaluate the practical impact of constitutionalizing consumer rights specifically whether rights elevated to Fundamental Rights result in greater awareness, higher enforcement, or better utilization by the public.
5. To provide policy-level recommendations for reducing the awareness gap and strengthening consumer legal literacy and access to remedies.

7. Hypothesis

H1: Awareness Level Hypothesis

H0: Consumers possess adequate awareness of their legal rights.

H1: Consumers lack adequate awareness of their legal rights.

H2: Determinant Influence Hypothesis

H0: Determinants A–F do not significantly influence low awareness.

H1: Determinants A–F significantly influence low awareness.

8. Research Methodology

This research employs a quantitative, empirical approach using a descriptive and analytical research design to investigate the gap between statutory consumer awareness and constitutional rights recognition. Primary data was gathered from a convenience sample of 105 respondents using a structured 30 item awareness questionnaire, which categorized reasons for unawareness into six distinct determinants (A–F) and a seventh category for correct awareness (G). The methodology involved converting categorical responses into numeric values to facilitate statistical analysis, utilizing descriptive statistics (mean, percentage distribution), reliability testing through Cronbach's Alpha, and inferential testing via Chi-Square analysis to validate the research hypotheses.



9. Analysis and Interpretation

The empirical data collected from 105 respondents provides a stark look at the disconnect between judicial advancements in consumer rights and public perception. To assess the reliability of the 30-item questionnaire used in this study, a Cronbach’s Alpha test was performed. The resulting value of 0.991 indicates excellent internal consistency, confirming that the instrument is a highly reliable tool for measuring consumer awareness.

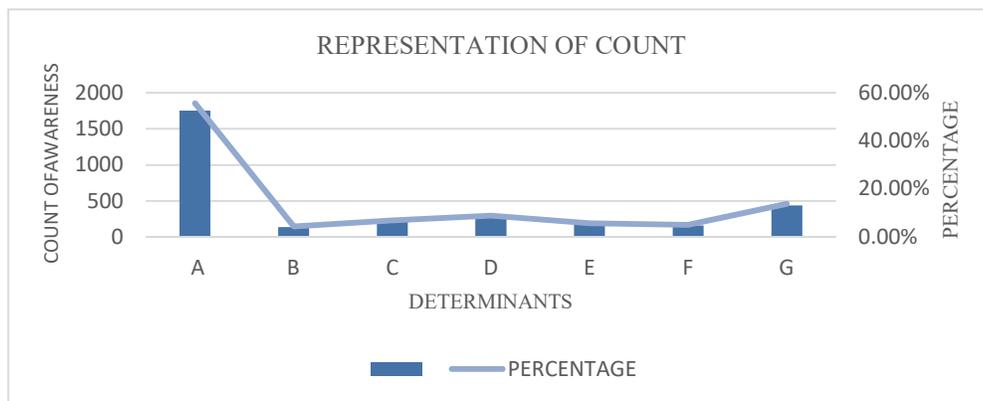
9.1 Distribution of Awareness Determinants

The primary objective was to categorize the reasons behind the lack of awareness regarding the constitutional dimensions of consumer rights. The data reveals that the vast majority of consumer responses fall under "Low Awareness" categories (Determinants A–F).

Table 9.1: Descriptive Statistics of Awareness Determinants here

Determinant Meaning		Total Count	Percentage
A	Lack of legal knowledge	1752	55.62%
B	Misconception	135	4.29%
C	Fear of procedural delays	214	6.79%
D	Social influence / reliance on informal sources	277	8.79%
E	Psychological belief / preference for immediate settlement	178	5.65%
F	Lack of experience / disinterest	159	5.05%
G	Awareness (correct understanding)	435	13.81%
Total		3150	100%

Fig 9.A: Descriptive Statistics of Awareness Determinants





As shown in the table and figure above, the most significant barrier is a Lack of Legal Knowledge (Determinant A), which accounts for 55.62% of all responses. This suggests that the legal complexities of Article 21 and its judicial expansion are not accessible to the average layperson. Other factors, such as Social Influence (8.79%) and Fear of Procedural Delays (6.79%), also contribute to the gap, albeit to a lesser extent. Crucially, only 13.81% of responses (Determinant G) reflected an accurate understanding of the constitutional status of rights like health and safety.

9.2 Overall Awareness Level

The overall awareness percentage highlights a profound disconnect between judicial theory and public understanding. Only 13.81% of responses reflected a correct constitutional understanding. This empirical finding confirms that the majority of respondents cannot differentiate between a statutory breach and a Fundamental Rights violation, strongly supporting H1: Low differentiation ability The overall awareness percentage is calculated as:

9.3 Reliability of the Awareness Scale

To ensure the data's integrity, the 30-item awareness questionnaire was tested for internal consistency using Cronbach's Alpha.

Table 9.3. Reliability Analysis

Scale	Items	Cronbach's Alpha	Interpretation
Awareness Scale	30	0.991	Excellent reliability

The resulting Cronbach's Alpha of 0.991 indicates "Excellent" reliability. This extremely high value confirms that the scale possesses very high internal consistency, ensuring that the survey items reliably and accurately measure the intended variables of consumer awareness. The 30-item awareness questionnaire was tested for internal consistency.

9.4 Hypothesis Testing and Statistical Analysis

The study employed Chi-Square tests to statistically validate the research hypotheses, ensuring that the observed gaps in consumer awareness were not due to random chance but were statistically significant.

9.4.1 H1: Awareness Level Hypothesis



This hypothesis was designed to measure whether consumers could differentiate between a standard statutory violation and a violation that carries constitutional weight under Article 21.

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Table 9.4: Chi-Square Test for H1 – Low vs. High Awareness

Category	Observed (O)	Expected (E)
Low Awareness (A–F)	2715	1575
High Awareness (G)	435	1575

Chi-Square Calculation:

$$X^2 = \sum O_i - E_i / E_i = (2715 - 1575) / 1575 + (435 - 1575) / 1575 = 1650.34$$

The Null Hypothesis (H0) posited that consumers possess adequate awareness and that the occurrence of low awareness determinants (A–F) would be equal to the occurrence of high awareness (G). The calculated Chi-Square value X² was 1650.34, which exponentially exceeds the critical value of 3.84 (at df = 1, α= 0.05). With a p-value of less than 0.00001, the result is highly significant, leading to the rejection of H0. This provides robust empirical evidence that there is a profound lack of awareness regarding the constitutional dimensions of consumer rights

9.4.2 H2: Determinant Influence Hypothesis

The second stage of testing sought to determine if the specific barriers identified (A–F) were significant drivers of this unawareness.

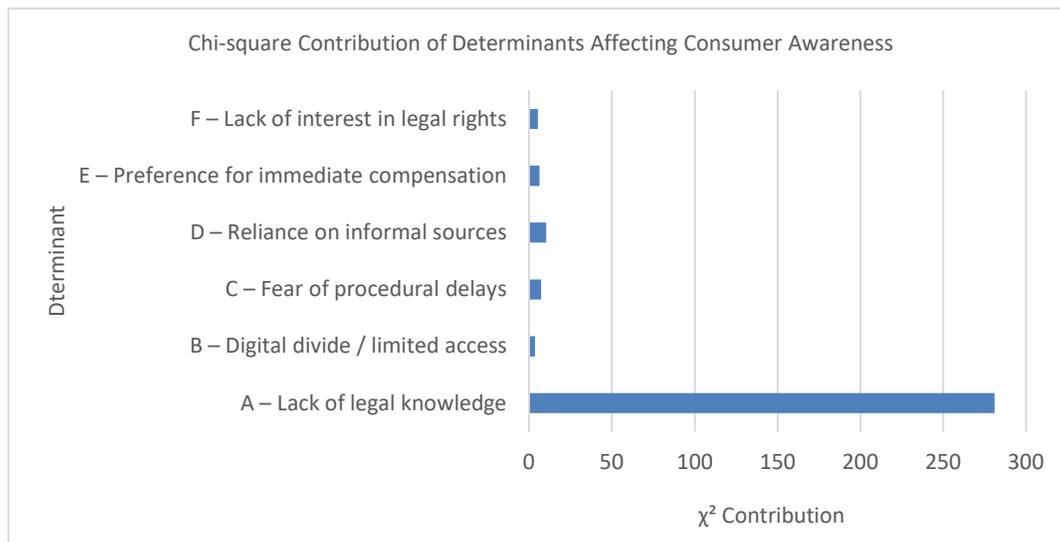
Table 9.5: Observed vs. Expected Frequencies for Determinants]

Observed vs Expected Frequency Table:

Factor	Low Awareness	High Awareness	Low Awareness	High Awareness	χ ² Contribution	% Contribution

	(O)	(O)	(E)	(E)		
A	1752	0	1509.8	242.2	281.0	9.37%
B	135	0	131.5	3.5	3.59	0.12%
C	214	0	207.0	7.0	7.24	0.24%
D	277	0	267.0	10.0	10.37	0.35%
E	178	0	171.9	6.1	6.32	0.21%
F	159	0	153.8	5.2	5.38	0.18%
G	0	435	374.0	61.0	2684.0	89.53%
Total	2715	435			2997.9	100%

Figure 9.B: Chi-Square contribution of Determinants Affecting Consumer Awareness



The Null Hypothesis (H0) stated that the determinants A–F do not significantly influence the lack of awareness. The analysis yielded a calculated X^2 of 2997.9, far surpassing the critical value of 12.59 for 6 degrees of freedom. The test confirms that determinants A–F are significant contributors to low awareness. Analysis of the X^2 contribution reveals that Lack of Legal Knowledge (A) is the most dominant factor. While factors like social influence and fear of delays play a role, the primary hurdle is a fundamental ignorance of the legal framework. This confirms that the elevation of rights to "Fundamental Rights" has not resulted in higher enforcement because consumers remain trapped by these identified determinants.



9.5. Findings

The empirical evidence demonstrates a clear **constitutional awareness gap**, emphasizing the need for **targeted legal literacy initiatives**.

The findings of the study reveal that a significant proportion of respondents fall under Category A, indicating that the primary reason for their unawareness of elevated consumer rights is the lack of legal knowledge stemming from inadequate legal education at the school, college, and community levels. The dominance of this category demonstrates a clear gap between the legal protections available particularly those elevated to Fundamental Rights under Article 21 and the public's understanding of these rights. Respondents classified under Category A consistently demonstrated low recognition of situations where consumer harms such as unsafe medical practices, contaminated food, denial of emergency care, or environmental hazards also amount to violations of the Right to Life. This group often viewed these issues merely as service deficiencies rather than constitutional infringements, indicating a limited awareness of available legal pathways, especially writ remedies under Articles 32 and 226. Their responses further suggest a reliance on informal understanding of rights and an absence of exposure to structured legal learning. Statistically, Category A respondents are likely to come from backgrounds where formal legal education is limited, especially at the school and undergraduate levels. This suggests systemic issues in the dissemination of legal literacy, particularly regarding consumer rights and constitutional protections. These respondents also exhibited lower confidence in identifying appropriate redressal forums and showed minimal familiarity with landmark judicial interpretations that have expanded consumer protection into the domain of fundamental rights. Overall, the predominance of Category A underscores a critical structural challenge, while the judiciary has progressively constitutionalized essential consumer rights, this advancement has not translated into grassroots awareness. Without targeted interventions such as curriculum-level legal education, community-based legal literacy programs, and accessible public awareness material the constitutional promise of enhanced consumer protection remains largely unrealized in practice.

10. Discussion

The judicial recognition of certain consumer rights as Fundamental Rights under Article 21 of the Constitution of India represents a significant advancement in Indian constitutional jurisprudence. Rights relating to health, safety, safe food, medical care, and a pollution-free environment have been elevated from their statutory origins under the Consumer Protection Act, 2019 to constitutionally enforceable



guarantees. In theory, this elevation provides consumers with stronger remedies, including direct access to writ jurisdiction under Articles 32 and 226. However, the findings of the present empirical study reveal a substantial disconnect between this constitutional recognition and consumer awareness at the grassroots level. The primary data collected during the study period indicates that a majority of respondents lacked awareness that certain consumer rights particularly those affecting life and health are protected as Fundamental Rights. The dominance of Category A (lack of legal knowledge due to inadequate legal education) in the response pattern demonstrates that most consumers perceive consumer rights exclusively as statutory entitlements rather than constitutional guarantees. This suggests that judicial expansion of Article 21 has not translated into corresponding public legal consciousness. Further analysis shows that even among respondents who had experienced serious consumer rights violations involving medical negligence, unsafe food, or environmental harm, awareness of constitutional remedies remained low. Most respondents preferred approaching consumer forums or informal grievance mechanisms, reflecting a limited understanding of the availability and significance of writ remedies for fundamental rights violations. This reinforces the study's central finding that constitutionalization of rights does not automatically lead to their effective utilization. The empirical findings also highlight that consumer awareness is not determined solely by the existence of legal protections but by the accessibility of legal knowledge. The absence of structured legal education on constitutional rights at the school and college levels contributes significantly to this gap. As a result, consumer rights that have attained fundamental status function in practice, much like ordinary statutory rights undermining the very purpose of their constitutional elevation. Moreover, the study reveals that respondents often failed to differentiate between statutory consumer rights such as the Right to Choose or the Right to Consumer Education and constitutionally protected rights such as the Right to Health and Safety. This lack of differentiation indicates that the hierarchical legal framework created by judicial interpretation remains largely invisible to consumers. Consequently, the enhanced enforceability of fundamental rights remains underutilized. In essence, the empirical findings validate the central hypothesis of the study, the elevation of certain consumer rights to fundamental rights has not resulted in proportionate public awareness or usage of constitutional remedies. The research thus exposes a functional gap between constitutional jurisprudence and consumer behaviour, emphasizing that legal recognition without legal literacy is insufficient to secure meaningful consumer protection.



11. Conclusion

This empirical study examined public awareness regarding consumer rights that have been elevated to the status of fundamental rights through constitutional interpretation, particularly under Article 21 of the Constitution of India. While Indian jurisprudence has significantly expanded the scope of consumer protection by recognizing rights relating to health, safety, environment, and dignity as fundamental rights, the findings of this study reveal a substantial disconnect between constitutional recognition and public awareness. The empirical analysis clearly demonstrates that awareness of such constitutionally protected consumer rights remains markedly low. Study revealed that only a small proportion of respondents were aware of the constitutional status of consumer rights, while the overwhelming majority fell within the unawareness categories. The findings indicate that the principal gap does not lie in the absence of legal safeguards, but rather in the failure of dissemination and institutional legal education. Despite constitutionalization, consumer rights remain largely confined to judicial pronouncements and statutory texts, inaccessible to the average consumer due to the absence of structured legal literacy at the school, college, and community levels. This gap is further widened by the complexity of legal language, limited engagement of constitutional law with everyday consumer experiences, and the perception that constitutional remedies are remote and elite-centric. The study also reveals a functional disconnect between rights and remedies. Even when consumers experience violations involving health, safety, or environment rights that constitutionally attract heightened protection they predominantly resort to informal mechanisms or statutory consumer forums, without awareness of constitutional remedies such as writ jurisdiction. This reflects a broader structural limitation wherein judicial activism, though normatively powerful, has not translated into popular legal consciousness. In conclusion, the research establishes that constitutional elevation alone is insufficient to ensure effective consumer protection unless accompanied by sustained legal education, simplified communication of constitutional rights, and institutional mechanisms that bridge the gap between constitutional law and everyday consumer life. Addressing this awareness deficit is essential not only for strengthening consumer protection but also for realizing the transformative promise of the Constitution in safeguarding the dignity, health, and life of consumers in India.

12. Suggestions and Recommendations

12.1. Integration of Legal and Consumer Rights Education in Formal Curriculum



Legal literacy, particularly relating to consumer rights and their constitutional dimensions, should be systematically incorporated into school and college curricula. Early exposure to basic constitutional and consumer law concepts can significantly reduce the knowledge gap identified in this study.

12.2. Community-Based Legal Awareness Programmes

Legal Services Authorities, in coordination with educational institutions and consumer organizations, should conduct regular awareness camps at the grassroots level. These Programmes must specifically highlight the constitutional status of consumer rights relating to health, safety, and environment.

12.3. Simplification and Public Dissemination of Constitutional Rights

Judicial decisions and statutory protections should be communicated in simple, non-technical language through public-friendly formats such as pamphlets, short videos, and local-language media to ensure wider reach and understanding.

12.4. Strengthening the Role of Consumer Forums in Constitutional Awareness

Consumer Disputes Redressal Commissions should proactively inform litigants about the constitutional aspects of consumer rights, especially in cases involving health, safety, and environmental harm, thereby bridging the gap between statutory and constitutional remedies.

12.5. Enhanced Use of Digital Platforms with Inclusive Access

Government digital initiatives relating to consumer grievance redressal and legal awareness must be complemented with measures to address the digital divide, including offline assistance centers and multilingual support.

12.6. Training and Sensitization of Frontline Legal and Administrative Personnel

Lawyers, consumer forum staff, and administrative officials should be trained to recognize and communicate the constitutional significance of consumer rights, enabling them to guide consumers towards appropriate remedies.



12.7. Policy-Level Monitoring and Impact Assessment

Regular empirical assessments should be undertaken by government agencies to evaluate the effectiveness of consumer awareness Programmes, ensuring that constitutional protections translate into actual consumer empowerment.

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