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Tainted Bites, Tainted Rights: Food Adulteration as a Human Rights Violation in India

When the Right to Eat Becomes the Fight to Survive

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Abstract

In India, food is more than sustenance—it is culture, care, and connection. Yet, the growing menace of food adulteration has turned this daily act of nourishment into a silent threat. This article explores food adulteration not merely as a public health issue, but as a violation of fundamental human rights, particularly the right to life under Article 21 of the Indian Constitution.

Drawing from the Prevention of Food Adulteration Act, 1954, the Food Safety and Standards Act, 2006, and the Consumer Protection Act, 2019, the article examines how legal frameworks attempt to safeguard citizens, but often fall short due to weak enforcement, outdated penalties, and rural-urban disparities. It also links India's obligations under international instruments like the UDHR and ICESCR, which recognize the right to adequate, safe food.

Through real cases, judicial precedents, and policy analysis, the article argues that food safety is not a luxury, it is a legal and moral necessity. It calls for stronger FSSAI infrastructure, legal reforms, public awareness, and technological solutions like blockchain and AI in food traceability. Ultimately, it urges society, governance, and law to treat food safety as a non-negotiable human right, because every bite should nourish, not endanger life.

Keywords: *Food Adulteration, Human Rights Violation, Article 21, FSSAI, Safe Consumption, Legal Framework.*

I. Introduction

“Healthy citizens are the greatest asset any country can have”
— *Winston Churchill*

In recent times, where **around 80 children fell ill after consuming a Mid-Day Meal at Madhya Vidyalaya Shankarpatti in Chhatapur block** (Ians, 2025). The children complained of stomach ache, vomiting, and nausea, and were rushed to the Community Health Centre (CHC) for treatment (Ians, 2025). Food poisoning was suspected as the cause. What was meant to nourish them turned into a hospital emergency. Sadly, this isn't an isolated incident, it's a reflection of a much larger, more disturbing reality.

In a country where food is revered as culture, medicine, and emotion, the silent menace of adulteration strikes at the very soul of daily life. From milk laced with detergent to spices tainted with synthetic dyes, the Indian consumer often unknowingly ingests more than just nourishment, sometimes, poison. This isn't merely a breach of safety; it's a violation of dignity, of trust, and most importantly, of fundamental human rights.

We talk about human rights in grand terms, but what about the right to eat without fear? What about the right to feed our children without second-guessing every bite? **Article 21** of the Indian Constitution promises the right to life, but what kind of life is it when every meal carries a risk? Food adulteration isn't just a health hazard, it's a human rights violation that affects millions, silently and relentlessly.

This article isn't written to preach. It strives to question, to explore, and to understand how something as fundamental as food can become a legal battleground. Through law, through lived experience, and through the lens of justice, this article wants to trace how this issue fits into the

larger conversation of rights in the 21st century, and why it deserves far more attention than it gets.

II. Research Objectives

- (i) To examine the extent to which food adulteration in India constitutes a violation of the right to life and personal liberty guaranteed **u/a. 21** of the Indian Constitution.
- (ii) To critically analyse the existing legal and regulatory framework governing food safety in India, including the Prevention of Food Adulteration Act, 1954, the Food Safety and Standards Act, 2006, the Consumer Protection Act, 2019, and the relevant provisions of the Bharatiya Nyaya Sanhita, with a view to identifying gaps in enforcement and adequacy of penalties.
- (iii) To assess India's compliance with its obligations under international human rights instruments, particularly the UDHR and ICESCR, in ensuring the right to safe and adequate food for its citizens.
- (iv) To investigate the practical challenges that hinder effective food safety regulation, including rural-urban disparities in enforcement, shortage of food safety infrastructure, and the rise of digital food fraud.
- (v) To explore viable solutions, including legal reforms, strengthening of FSSAI, public awareness initiatives, and the adoption of emerging technologies such as blockchain and artificial intelligence in food traceability, for the better protection of consumers against food adulteration.

III. Problem Statement

India, despite being home to one of the most elaborate food safety legislations in the developing world, continues to witness an

alarming rise in food adulteration cases across states and food categories. The Food Safety and Standards Act of 2006, along with the establishment of FSSAI, was expected to bring about a paradigm shift in how food safety is regulated and enforced. Yet, the ground reality tells a different story. Year after year, FSSAI's own data reveals that a significant percentage of food samples fail quality and safety tests, and incidents of mass food poisoning, particularly among school-children and vulnerable communities, remain disturbingly frequent.

The central problem lies not in the absence of law, but in the persistent failure to translate legal provisions into effective, on-the-ground enforcement. Chronic shortages of food safety officers, outdated penalty structures that fail to deter offenders, glaring rural-urban disparities in inspection and testing infrastructure, and the growing sophistication of adulteration techniques, including the use of industrial chemicals and digital food fraud, have collectively rendered the existing framework inadequate. At the same time, millions of citizens, especially the poor who depend on unregulated local markets, remain unaware of their legal rights and lack meaningful access to grievance redressal mechanisms.

This gap between the promise of safe food as a fundamental right u/a. 21 of the Constitution and the lived experience of ordinary Indians raises a serious constitutional and moral concern. The question that this study seeks to address is: *why, despite comprehensive legal and institutional frameworks, does food adulteration continue to endanger the health, dignity, and fundamental rights of Indian citizens, and what systemic reforms are necessary to bridge this gap?*

IV. Research Methodology

The present study adopts a qualitative and doctrinal research methodology, drawing primarily from primary and secondary legal sources to build a comprehensive understanding of food adulteration as a human rights concern in India. The approach is multi-layered, combining legal analysis with policy review and real-world case studies, in order to present a picture that is not merely theoretical but grounded in the realities of everyday life.

a) **Doctrinal Legal Analysis** — The backbone of this study rests on a careful examination of statutes, constitutional provisions, and judicial precedents. Key legislations such as the Prevention of Food Adulteration Act, 1954, the Food Safety and Standards Act, 2006, the Consumer Protection Act, 2019, and the relevant provisions of the Bharatiya Nyaya Sanhita (Sections 274–278) have been analysed in terms of their scope, adequacy, and effectiveness. Constitutional interpretation of Article 21 of the Indian Constitution, as expanded through landmark Supreme Court decisions, forms a critical thread running through the analysis. International instruments, including the Universal Declaration of Human Rights (UDHR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), have also been examined to situate India's domestic obligations within a broader human rights framework.

b) **Policy Review** — Beyond legislation, this study engages with the institutional and policy landscape of food safety in India. Government initiatives such as the Eat Right India campaign, the FSSAI's DART (Detect Adulteration with Rapid Test) Manual, the National Food Security Act, 2013, and the Food Safety and Standards (Packaging and Labelling) Regulations, 2011, have been reviewed to assess how policy translates —

or fails to translate — into meaningful protection for citizens on the ground.

- c) **Case Study Approach** — To bridge the gap between law on paper and law in practice, the study relies on documented real-world incidents of food adulteration. Cases such as the FSDA raids uncovering widespread dairy adulteration in Mathura and Aligarh, the seizure of synthetic paneer in Noida, and the Delhi Crime Branch raid on adulterated sweets in Raghbir Nagar have been used to illustrate the nature, scale, and human cost of the problem. These incidents are not treated merely as news items but as evidence of systemic failures that demand legal and policy responses.

Together, these three strands — doctrinal analysis, policy review, and case studies — allow the study to move beyond abstract legal commentary and engage meaningfully with the lived experience of food safety in India. The aim is not just to describe the law as it is, but to question whether it does what it promises, and to suggest how it might do better.

V. Theoretical Framework

A. According to the Prevention of Food Adulteration Act, 1954 —

It defines food adulteration as the replacement of a food substance by a low grade or in expensive material, rendering it injurious to health. As per **Section 2(ia)(a)–(m)**, it lays the foundation for identifying what makes food “adulterated” in India—not just chemically, but morally and legally. It’s a mirror to the ethics of our food system.

- a) **Clause (a)** talks about food not being of the “nature, substance or quality” demanded by the purchaser. This isn’t just about taste, it’s

about trust. When a vendor sells something that isn’t what it claims to be, it violates the consumer’s right to informed choice.

- b) **Clause (b)–(d)** deal with contamination, whether by poisonous substances, filthy conditions, or harmful additives. These clauses reflect the right to health, and any breach here is a direct attack on **Article 21** of the Constitution. (Gupta, 2025)
- c) **Clause (e)–(g)** address the use of colouring agents, preservatives, and flavouring substances that are either unauthorized or excessive. These are subtle violations, often hidden behind packaging and branding, but they carry long-term health risks.
- d) **Clause (h)–(j)** focus on the preparation and storage of food under insanitary conditions. This is where the law meets public hygiene. It’s not just about the food itself, but the environment it’s born in.
- e) **Clause (k)–(m)** cover the use of diseased animals, decomposed ingredients, and packaging that can leach harmful substances. These are the most disturbing forms of adulteration, where the food is not just unsafe, but potentially lethal.

Furthermore, FSSAI remarked that “food adulteration refers to the **intentional addition**, substitution, or removal of substances that negatively impact the nature, quality, or safety of food. It also includes **unintentional contamination** that may occur during cultivation, harvesting, storage, processing, transportation and distribution.” (Drishti IAS, 2025)

B. State of Food Adulteration in India —

“According to the Food Safety and Standards Authority of India (FSSAI), **around 26.4% of the food samples tested in 2018–19** was found to be adulterated, compared to **23.4% in 2016–17**. In **2023–24**, the FSSAI analysed **over 1.5 lakh food samples**, of which **more than 33,000 were found to be non-conforming**. The most commonly found **adulterants include non-food substances** that are added to food products to either increase their weight or improve their appearance. **Nestlé India’s Maggi noodles** were found to contain excessive levels of **lead and monosodium glutamate (MSG)**.” (Drishti IAS, 2025)

“In 2024, nearly **25% of food samples tested in Rajasthan were found adulterated**, leading to the seizure or destruction of **over 6.6 lakh kilograms of food products**. A significant **83% of paneer samples in Noida and Greater Noida failed quality tests**, with 40% deemed unsafe due to harmful chemicals and unidentified substances. Approximately **12% of spice samples tested nationwide failed to meet safety standards**, raising concerns over pesticide residues and other contaminants. For e.g. **MDH and Everest spices** have been found adulterated with **ethylene oxide, a carcinogenic pesticide**, leading to product recalls in countries like Singapore and Hong Kong, and rejections in the United States due to contamination.” (Drishti IAS, 2025)

C. Broader Aspects of the Food Safety and Standards Act, 2006 —

The Food Safety and Standards Act, 2006 isn’t just a law, it’s a response to a growing crisis. In a country where food is sacred, where meals are shared with love and tradition, the rising tide of adulteration demanded more than scattered rules. It needed a unified voice. This Act became that voice.

Before 2006, food regulation in India was fragmented, spread across multiple laws, departments, and jurisdictions. The FSS Act brought it all together, creating a single, science-driven framework that could speak to the complexity of modern food systems. It gave birth to the **FSSAI**, a body not just to regulate, but to educate, inspect, and intervene when food safety was compromised.

What makes this Act powerful is its **human focus**. It doesn’t just talk about chemical limits or packaging standards, it talks about the **right to safe food**, the **right to dignity**, and the **right to health**. It recognizes that food isn’t just a commodity—it’s a constitutional concern. Under **Article 21**, the right to life includes the right to live without fear of poisoning from your own plate. (Drishti IAS, 2025)

The Act also empowers consumers. It mandates **clear labelling, strict licensing, and accountability from every food business operator**, from street vendors to multinational brands. It introduces penalties that aren’t just symbolic—they’re meant **to deter, to correct, and to protect**.

But perhaps its most beautiful aspect is its vision for the future. Through campaigns like ***Eat Right India***, it doesn’t just punish wrongdoers, it inspires change. It invites citizens to be part of the solution, to ask questions, to demand better.

In a world where food is increasingly processed, packaged, and profit-driven, the FSS Act stands as a reminder: food safety is not a privilege, it’s a promise. And that promise must be kept, bite by bite, law by law.

Article 21 of the Indian Constitution reads simply:

“No person shall be deprived of his life or personal liberty except according to procedure established by law.” (Constitution of India, 1950)

But over the decades, this one line has grown into a living doctrine. The Supreme Court has interpreted “life” to mean more than mere survival, it includes the right to live with dignity, to enjoy health, hygiene, and a safe environment. “In *Francis Coralie Mullin v. Administrator, Union Territory of Delhi* (1981) (*Francis Coralie Mullin v Administrator, Union Territory of Delhi*, 1981), the Court held that the right to life includes the right to live with human dignity and all that goes along with it, including adequate nutrition.”

So when food is adulterated, when milk is diluted with detergent, or spices are laced with industrial dyes, it’s not just a health hazard. It’s a constitutional betrayal. It strips citizens of their right to eat safely, to live without fear, and to trust what’s on their plate.

- **Dignity:** Selling adulterated food to unsuspecting consumers, especially the poor who cannot afford alternatives, is an act of exploitation. It reduces people to passive victims of a system that values profit over humanity.
- **Health:** Adulterants like lead chromate, formalin, and synthetic milk agents cause long-term damage—cancer, kidney failure, developmental disorders. This is not accidental harm; it is preventable suffering.
- **Safe Living:** The right to a safe environment includes the right to safe food. When the food chain is compromised, so is the very foundation of public health. (Gupta, 2025)

India is not just bound by its Constitution—it is also a signatory to key international human rights

instruments that recognize food as a fundamental right.

“Universal Declaration of Human Rights (UDHR), 1948, **Article 25(1)** states:”

“Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food.” (United Nations, 1948)

“International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966 states:

Article 11 which recognizes the right of everyone to an adequate standard of living, including adequate food, and the fundamental right to be free from hunger.” (United Nations, 1966)

VI. Real Incidents Of Food Adulteration In India

A. Milk Adulteration in Mathura

Between October 8 to 17, 2025, the Food Safety and Drug Administration (FSDA) launched a major crackdown on adulterated dairy products in Mathura and Aligarh, uncovering widespread violations.

In Mathura’s Bajna area, dairies like Rakesh, Bhura, Vinod Baba, Vishnu, and Gagan Ganesh Mill were found using refined palmolein oil, skimmed milk powder, and chemical adulterants in paneer production. Contaminated stock was destroyed, and licences suspended. Ashok Godown, caught selling adulterants, also faced suspension. (Dairy News Today, 2025)

In Aligarh, 4,150 kg of milk and paneer were seized from Chaudhary Dairy, with samples revealing poster colour, whitening agents, and synthetic milk. Sabana, Munna, and Shiv Dairies were shut for unhygienic conditions. Saurabh Agency was caught with large quantities of adulterants. (Dairy News Today, 2025)

In total, FIRs were filed against five establishments, and ten licences suspended. Two food safety officers were suspended for negligence. The drive, led by Commissioner Rekha S Chauhan, reflects FSDA's intensified vigilance during the festive season. (Dairy News Today, 2025)

B. Noida Synthetic Paneer

During a late-night raid on October 11 to 12, 2025, FSSAI and local food safety teams seized over 500 kg of suspected fake paneer in Noida. Lab tests confirmed the stock was unfit for consumption and it was promptly destroyed.

This isn't an isolated case. Over the past year, similar drives in Jaipur and Chandigarh led to the seizure of hundreds of kilos of adulterated paneer and milk-based sweets. In Noida, police even arrested alleged distributors of synthetic paneer sold to small eateries. (Goswami, 2025)

Recent sample surveys have been alarming, especially during the festive season. (Goswami, 2025) In Noida and Greater Noida, 83% of paneer samples failed quality checks, with nearly 40% found unsafe, containing chemicals and non-dairy substances.

For millions of Indians who rely on paneer as a daily protein source, and especially during festivals like Diwali, this is more than a food issue. It's a health hazard. Staying informed, buying from trusted sources, and reporting suspicious products are small steps that can protect your family from the hidden dangers of adulterated food.

C. Delhi Raid on Sweets and Ghee

In a surprise raid on a manufacturing unit in Raghbir Nagar, New Delhi, the Crime Branch seized over 2,000 kg of adulterated milk-based sweets intended for festive sale. The sweets were

found to contain prohibited chemicals and were packed for distribution to local shops. (Goswami, 2025)

So far, 10 individuals, including the unit owner, have been apprehended. Investigations are underway to determine the role of workers in using sub-standard ingredients. (Goswami, 2025)

This case highlights the growing risk of food adulteration during festive seasons, when demand surges and safety often take a back seat. (Goswami, 2025)

VII. Legal & Policy Framework For Food Regulation In India

A. Food Safety and Standards Act, 2006 — Structure, Penalties, and Enforcement

The FSSAI Act is India's backbone for food safety. It doesn't just regulate, it protects. It was born out of a need to unify scattered laws and create a single, science-based system that could respond to modern food challenges.

- 1. Structure:** At its core is the Food Safety and Standards Authority of India (FSSAI), a statutory body that sets standards, monitors compliance, and guides policy. It works through designated officers, food safety commissioners, and scientific panels. (Kumar, 2025)
- 2. Penalties:** The Act introduces **graded penalties**. For example:
 - Selling sub-standard food: ₹5 lakh fine
 - Misleading labelling: ₹3 lakh fine
 - Unsafe food causing injury or death: **imprisonment up to life**, plus fines up to ₹10 lakh

3. Enforcement: FSSAI officers can inspect premises, seize samples, and initiate prosecution. But enforcement is only as strong as its implementation, many cases go unreported, and rural areas often lack inspection infrastructure.

B. Food Safety and Standards (Packaging and Labelling) Regulations, 2011

“These regulations were notified under the Food Safety and Standards Act, 2006, and came into effect on **August 1, 2011**. They apply to **all packaged food products** sold in India and aim to ensure transparency, safety, and informed consumer choice. It governs the **packaging and labelling of food products** to ensure that consumers receive accurate information about the contents.” (Kumar, 2025)

1. Packaging Standards

- Packaging materials must be non-toxic, food-grade, and hygienic.
- Recycled materials are not allowed for direct contact with food.
- Packaging must protect food from contamination, spoilage, and tampering.

2. Labelling Requirements

Every label must include:

- **Name of the food product**
- **List of ingredients** in descending order by weight
- **Nutritional information** (energy, protein, fat, carbohydrates, sugar)
- **Additives and preservatives**, if any
- **Net quantity** and **date of manufacture/expiry**
- **Batch or lot number**
- **Name and address of manufacturer or importer**
- **Instructions for storage and use**

- **Vegetarian/non-vegetarian symbol** (green/red dot)
- **Allergen information**, if applicable

C. National Food Security Act (NFSA), 2013

“This Act ensures food security for vulnerable sections of society by providing access to safe and nutritious food. It also mandates that the **food distributed under the Act be safe, hygienic, and free from adulteration.**” (Kumar, 2025)

1. Key Provisions

- “Up to 75% of the rural population and 50% of the urban population are entitled to subsidized food grains.” (Verma & Mani, 2022)

2. Entitlements

- “**5 kg of food grains per person per month** at subsidized prices (₹3/kg for rice, ₹2/kg for wheat, ₹1/kg for coarse grains).” (Singh, 2025)
- “**Antyodaya Anna Yojana (AAY)** households receive 35 kg per month.” (Singh, 2025)

3. Nutritional Support

- “Free meals for pregnant women, lactating mothers, and children through **Integrated Child Development Services (ICDS)** and **Mid-Day Meal Schemes.**” (Singh, 2025)
- **Maternity benefit of ₹6,000** for pregnant and lactating women.

4. Transparency and Accountability

- Beneficiaries can approach **District Grievance Redressal Officers (DGROs)** if entitlements are denied.

- Mandatory **social audits**.
- **Public distribution system (PDS) reforms** including digitization and biometric authentication.
- States are required to implement the Act and ensure food grain distribution through fair price shops.

D. FSSAI's DART (Detect Adulteration with Rapid Test) Manual

“The DART manual provides a user-friendly guide to help consumers detect food adulteration through simple and rapid tests. It supports public awareness through educational campaigns and promotes active consumer participation in identifying common adulterants in food.” (Singh, 2025)

1. Key Features of the DART Manual

a) Household-Friendly Tests

- Uses **basic items** like water, tincture of iodine, and hydrochloric acid (available in labs or kits).
- Designed for **non-experts**, including students, homemakers, and street vendors.

b) Covers over 50 Food Items

- **Milk & Milk Products:** Detect water, detergent, starch
- **Oils & Fats:** Identify mineral oil or rancidity
- **Sugar & Confectionery:** Spot washing soda or chalk powder
- **Grains & Pulses:** Detect artificial polishing or stones
- **Spices & Condiments:** Identify lead chromate in turmeric or brick powder in chili

c) Sensory Evaluation

- Includes **visual and smell-based tests** to distinguish pure vs adulterated food.

- Pictorial comparisons help users recognize anomalies easily.

E. Bharatiya Nyaya Sanhita Sections 274–278 — Criminal Liability

Sometimes, food adulteration isn't just negligence, it's a crime. That's where the BNS steps in.

- **Section 274:** Adulteration of food or drink intended for sale — *Punishable with up to 6 months imprisonment and/or fine up to ₹1,000* (Bharatiya Nyaya Sanhita, 2023)
- **Section 275:** Sale of noxious food or drink — *Same punishment* (Bharatiya Nyaya Sanhita, 2023)
- **Section 276–277:** Deal with adulteration and sale of spurious drugs (Bharatiya Nyaya Sanhita, 2023)
- **Section 278:** Sale of drug as a different drug — *Punishable with up to 6 months imprisonment* (Bharatiya Nyaya Sanhita, 2023)

F. Consumer Protection Act, 2019 — Remedies and Redressal

The Consumer Protection Act empowers the everyday citizen. It recognizes that food safety isn't just a regulatory issue, it's a consumer right.

Remedies Available:

- Refunds and replacements
- Compensation for physical harm or mental agony
- Punitive damages in severe cases

Redressal Forums:

- **District, State, and National Consumer Disputes Redressal Commissions**
- Consumers can file complaints online, making justice more accessible

G. *Judicial Precedents — Landmark Cases That Shaped the Law*

“In *Ram Dayal v. King Emperor* (Ram Dayal v Emperor, 1923), Privy Council held that the mixing pig fat with ghee would be noxious to the religious and social feeling of both Hindus and Muslims, still it is not punishable (as it is not noxious to the health). Similarly, according to *Dhawa v. Emperor* (Dhawa v Emperor, 1933), mixing water with milk is no offence, as the mixture is not noxious. In *Emperor v. Narumal Jawarmal* (Emperor v Narumal Jawarmal, 1904), it was held that selling wheat containing a large admixture of extraneous matters is not an offence, as foreign matter is separable and wheat is not consumed in its existing condition but first washed manually. It was difficult to prove intention to sell. Even if crime was proved, punishment imposed was minimal and in maximum cases only fine of maximum Rs.1000 was imposed which was easy for culprits to pay who made more, easy money as against fine which was onetime affair.”

“The Supreme Court in the case of *Parmanand Katra v. Union of India* (Pt. Parmanand Katara v. Union of India, 1989) held that right to health and medical care is a fundamental right covered by **Article 21** since health is essential for making the life of workmen meaningful and purposeful and compatible with personal dignity. The state has an obligation under **Article 21** to safeguard the right to life of every person, preservation of human life being of paramount importance. It is the obligation of those who are in charge of the health of the community to preserve life so that

innocent may be protected and the guilty may be punished.” (Sudhir, n.d.)

“Similarly in *Centre for Public Interest Litigation v. Union of India* (Centre for Public Interest Litigation v. Union of India, 2020), the Supreme Court observed that the right to life and human dignity under art 21 of the Constitution also incorporates the right to have food articles and beverages which are free from harmful residues such as pesticides and insecticides, that food articles which are harmful and injurious to public health had the potential of striking at the fundamental right to life guaranteed by the Constitution and it was the government's responsibility to take steps for protection of life and health.” (IANS, 2013)

VIII. **Emerging Challenges In The Fight Against Food Adulteration**

A. *Chemical Adulterants and Digital Food Fraud*

Gone are the days when food adulteration meant just adding water to milk or stones to grains. (PWOnlyIAS, 2024) Today, the threat is far more sinister, and invisible. **Industrial chemicals like calcium carbide, formalin, and lead chromate** are being used to ripen fruits, preserve fish, and brighten turmeric. These are not just contaminants—they are carcinogens, neurotoxins, and slow poisons.

But the danger doesn't end with the food itself. In the age of e-commerce and food delivery apps, **digital food fraud** is on the rise. Fake brands, counterfeit packaging, and misleading online reviews are making it harder for consumers to distinguish between safe and unsafe products. A beautifully designed label can now hide a dangerously adulterated product, and a five-star rating can be bought with a click.

B. Regulatory Loopholes and Weak Enforcement

India has some of the most detailed food safety laws on paper. But laws don't enforce themselves, people do. And that's where the cracks begin to show.

- **Shortage of trained food safety officers**
- **Delayed lab reports and weak prosecution**
- **Low conviction rates under IPC (now, BNS) and FSSAI provisions**
- **Minimal surveillance in informal food sectors**

In many cases, offenders walk free with a nominal fine, while victims suffer lifelong health consequences. The system often lacks the teeth to bite, and when it does, it bites too late.

C. Rural vs. Urban Disparity in Food Safety

In urban India, consumers are beginning to ask questions—about labels, expiry dates, and certifications. But in rural India, where **access to information, testing labs, and grievance redressal is minimal**, adulteration thrives in the shadows.

- **Street vendors and small-scale producers** often operate without licenses.
- **Awareness about food rights and safety standards** is alarmingly low.
- **Enforcement agencies are understaffed or absent** in remote areas.

This creates a cruel irony: the poorest, who are most vulnerable to health risks, are also the least protected.

D. Media, Misinformation, and Public Panic

Media has the power to expose, but also to exaggerate. While investigative journalism has played a crucial role in uncovering food scandals, **viral misinformation** has also created confusion and fear.

- WhatsApp forwards warning about “plastic eggs” or “synthetic rice” often lacks scientific basis.
- Panic spreads faster than facts, eroding trust in even safe food sources.
- Meanwhile, **real issues like pesticide-laced vegetables or formalin-treated fish** get buried under sensational headlines.

In this chaos, the consumer is left anxious, unsure, and often misinformed. What we need is **responsible reporting**, not fear-mongering. Because in the fight for food safety, **clarity is as important as courage**.

IX. Opportunities And Solutions

1. Strengthening FSSAI and Local Food Labs

The FSSAI is the sentinel of India's food safety, but even sentinels need reinforcements. Many local food labs lack modern equipment, trained personnel, and timely reporting systems. Samples often sit idle while adulterated products continue to circulate.

What's needed?

- Investment in **state-of-the-art testing infrastructure**
- **Decentralized labs** in every district, especially rural belts
- Faster sample analysis and **real-time reporting systems**

2. Legal Reforms and Stricter Penalties

The law must evolve with the crime. BNS **Sections 274–278** still prescribe fines as low as ₹1,000 for selling adulterated food, a laughable sum compared to the damage caused.

What's needed?

- **Amendments to provisions of BNS and FSSAI Act** to introduce harsher penalties, including longer imprisonment and higher fines
- **Fast-track courts** for food safety violations
- Mandatory **criminal liability for repeat offender**

3. Public Awareness Campaigns

Most consumers don't know what they're eating, or what rights they have. Awareness is the first line of defence.

What's needed?

- Grassroots campaigns in schools, markets, and villages
- Use of **vernacular languages** and local influencers
- Interactive tools like **mobile apps** to report unsafe food

4. Role of Judiciary and PILs

Courts have often stepped in where regulators have failed. Public Interest Litigations (PILs) have led to bans on harmful additives, stricter labelling norms, and accountability for midday meal schemes.

What's needed?

- Continued judicial activism to uphold **Article 21**
- PILs that demand **transparency in food licensing**
- Judicial monitoring of **state-level enforcement**

5. Blockchain and AI in Food Traceability

Imagine scanning a packet of rice and knowing exactly where it came from, how it was processed, and whether it passed safety checks. That's not fantasy, it's **blockchain-powered traceability**.

What's needed?

- Adoption of **blockchain systems** for supply chain transparency
- Use of **AI to detect anomalies** in food quality and distribution
- Integration of tech with **FSSAI databases** for predictive enforcement

6. Role of Government Agencies

▪ **Regular Market Surveillance:**

Regular market surveillance plays a vital role in preventing the gradual and often unnoticed accumulation of harmful substances in the food supply. Health authorities must remain vigilant against the illegal use of chemicals such as ethylene and oxytocin in fruits and vegetables, as well as the addition of synthetic dyes and acids in

edible oils — practices that pose serious long-term health risks to consumers. Since food safety regulations already require that any colouring agents used in food products be clearly declared on packaging labels, it follows that routine market surveys and systematic sampling by public health inspectors are essential to ensure that such requirements are actually being followed, and that unauthorized admixtures of colours are identified and addressed promptly. (Gahukar, 2014)

▪ **Inspection and Testing:**

India's food supply chain, while vast and remarkably adaptive, suffers from a fundamental structural weakness — the infrastructure that connects farmers, distributors, retailers, and consumers remains fragmented and poorly coordinated. Very few entities within this chain possess the capacity to act as true channel masters, capable of managing supply and demand dynamics, overseeing logistics, and ensuring end-to-end quality control. This disorganisation creates fertile ground for adulteration to go undetected at multiple points along the chain. One of the most effective safeguards at the consumer end is regular food sampling and testing at the retail level. When shops are subject to routine inspections, unsafe or substandard products can be identified and removed from shelves before they reach the consumer's plate. Without such checks, contaminated and adulterated food items circulate freely in the market, often indistinguishable from safe products. A deeper problem lies in the near-total absence of demand forecasting in the agricultural sector. Most farmers produce without reliable information about market needs and simply push their output into the supply chain, leading to wastage,

price volatility, and conditions that encourage adulteration as a means of extending shelf life or masking poor quality. (Gahukar, 2014)

▪ **Regulation and Certification:**

A persistent source of concern in India's food safety landscape is the quality of food grains distributed through the Public Distribution System (PDS), which remains the primary food supply mechanism under the central government for millions of economically vulnerable households. Despite its critical role, the PDS has long been associated with complaints of impurities, contamination, and substandard quality in the grains it supplies. A major reason for this is the lack of proper enforcement of existing regulations at the state level. Most state governments simply do not possess the administrative machinery or the resources to conduct regular and meaningful quality checks on the food moving through the PDS network. Inspections, where they happen at all, tend to be sporadic and reactive rather than systematic. Equally troubling is the inadequate attention that health authorities have given to broader issues of food spoilage, sanitation, and contamination within the supply and distribution process. (Gahukar, 2014)

X. Conclusion

Food is not merely sustenance—it is memory, culture, and care. When it is adulterated, the betrayal is not only of the body but of the dignity of the eater. In India, where food is sacred, the right to eat safely must be treated as a non-negotiable human right. Article 21 of the Constitution guarantees the right to life, but life without safe food is survival without security.

International instruments such as the UDHR and ICESCR reinforce this truth: food safety is not a privilege but a promise every nation must keep. Yet, this promise cannot be upheld by law alone; it requires collective responsibility. Governments must enforce and reform, the judiciary must protect and intervene, society must remain informed and vigilant, and consumers must ask questions, demand answers, and refuse silence. Ultimately, food safety is not just about what lies on the plate—it is about the kind of nation we choose to be.

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