

# Digital Consumerism and Social Justice: A Constitutional Perspective in India

Omkar Acharya<sup>1\*</sup> and Shibanee Acharya<sup>2</sup>

\*Corresponding Author: [omacharya@gmail.com](mailto:omacharya@gmail.com)

<sup>1</sup>SOA National Institute of Law, SOA University, Bhubaneswar- 751003, Odisha, India

E-mail ID: [omacharya@gmail.com](mailto:omacharya@gmail.com), Mobile: +91 7735445854

<sup>2</sup>Fakir Mohan University, PG Department of Law, Balasore – 753003, Odisha, India

E-mail ID: [shibaneeacharya9798@gmail.com](mailto:shibaneeacharya9798@gmail.com), Mobile: +91 8249939684

## Abstract

*The Indian Constitution emphasizes equality, liberty, and brotherhood via social justice. Technology-driven digital consumption is redefining social justice in India. In this new environment, constitutional notions' mutually beneficial interaction with the digital economy must be examined. Digital platforms' reach may be helpful and negative. They democratize resources, knowledge, and opportunity to minimize education, healthcare, and job inequalities. Digital obstacles, data monopolies, and algorithmic biases may deepen societal disparities. Lack of internet connection or digital proficiency keeps disadvantaged people behind in our "digital divide". This essay examines digital consumption's unequal impact in light of constitutional requirements. Digital technology must be regulated to provide equitable opportunity. The article suggests balancing technical innovation and democratic governance for social justice in the digital age. Finally, as it becomes digital, India must protect constitutional values against quick consumption. Only by tying constitutional obligations to digital realities can the nation achieve justice and equality.*

**Keywords:** Social Justice, Digital Divide, Digital Technology, Technical Innovation, Justice, Liberty, Equality

## 1. INTRODUCTION

Adopted in 1950, the Constitution of India serves as a cornerstone for governance, embedding principles of social, economic, and political justice. Social justice in the Indian context entails dismantling entrenched inequalities rooted in caste, gender, religion, and economic disparities. It envisions an equitable society where every individual enjoys dignity and equal opportunities.

The rise of digital consumerism- a phenomenon defined by the proliferation of e-commerce platforms, online marketplaces, and digital transactions- has significantly transformed socio-economic dynamics. While these advancements promise inclusivity and economic empowerment, they also cast shadows of inequality, perpetuating challenges like digital divides, data monopolies, and privacy concerns. The intersection of constitutional ideals and the rapid growth of digital consumerism demands critical scrutiny. Digital platforms, while democratizing access to goods and services, have also reshaped societal norms and amplified disparities. For instance, limited internet access and digital literacy among marginalized communities exacerbate exclusion, contradicting the constitutional mandate for equity. Moreover, concerns around data security and algorithmic bias highlight the nuanced challenges of achieving social justice in a digital age. This evolving narrative underscores the dual-edged nature of digital consumerism. It offers opportunities for economic empowerment but risks undermining constitutional commitments to justice and inclusion. Addressing these challenges necessitates a policy framework that harmonizes technological progress with inclusive governance. Bridging the gap between the digital economy and the principles enshrined in the Constitution is crucial for realizing India's vision of a just and egalitarian society.

Future discourse must delve deeper into this interplay, exploring avenues for innovation that uphold constitutional values while mitigating digital exclusion. Only by aligning digital transformation with the ethos of social justice can India navigate this era of unprecedented change effectively.

## 2. REVIEW OF LITERATURE

The dynamic relationship between digital consumerism and social justice in India is influenced by rapid digitalization, economic reforms, and the constitutional commitment to justice and equality. Central to this discourse are issues such as digital rights, consumer protection, and access inequalities. This review examines the intersection of digital consumerism with the principles of social justice embedded in the Indian Constitution, shedding light on its impact on consumer rights, equity, and the constitutional mandate to uphold justice.

### 2.1 Constitutional and Framework on Consumer Protection

Consumer justice, a cornerstone of socio-economic rights enshrined in the Indian Constitution, is closely tied to reinforcing protective legal frameworks, including the Consumer Protection Act, 2019. Rooted in constitutional principles, consumer justice seeks to shield individuals from exploitation and uphold socio-economic equity. Strengthening regulatory measures is imperative to combat unfair trade practices and ensure inclusive market participation (Roy, 2016). Legal reforms and policy initiatives have strived to

harmonize digital consumerism with the fundamental rights to equality and non-discrimination (Singh, 2013). The Constitution underscores social justice through its Preamble and Directive Principles of State Policy, mandating the state to foster equality and curtail exploitative practices targeting vulnerable groups (Singh, 2016). While acts such as the Consumer Protection Act, 2019, and the Information Technology Act, 2000, aim to safeguard consumer rights, enforcement challenges continue to hinder their efficacy (Pathak, 2024).

## **2.2 Digital Consumerism and Its Socio-Economic Impact**

The rapid expansion of digital media has revolutionized consumer behavior, fostering an increasing dependence on online platforms for goods and services. Yet, this digital shift has unleashed challenges such as data privacy breaches and a widening digital divide (Modak, 2024). Socio-economic inequalities are amplified on digital platforms, where disparities in access and usage disproportionately affect income groups and social classes. Digital inequality deepens existing social fractures, as marginalized populations- especially those with lower incomes and limited education- face restricted access to digital tools, hindering equitable participation (Tewathia et al., 2020). In India, digital consumerism has profoundly reshaped purchasing patterns, with consumer preferences increasingly gravitating towards online platforms. This trend is driven by strategic digital marketing techniques, including content marketing, mobile advertising, and social media campaigns (Durai & King, 2019). However, these advancements bring vulnerabilities to the forefront, such as data breaches, deceptive advertisements, and growing inequities in accessing digital markets (Kucuk, 2016). This dual-edged transformation underscores the urgent need to address the socio-economic and ethical challenges arising from the digital consumer landscape.

## **2.3 Role of Judiciary and Social Justice in Digital Rights**

Bridging the digital divide resonates strongly with the constitutional mandate to ensure equal opportunities and equitable access to resources (Anthony & Padmanabhan, 2010). The judiciary has taken an assertive stance in enforcing social justice provisions to safeguard consumer rights in the digital realm. The Supreme Court's Social Justice Bench has played a pivotal role in dismantling structural inequalities (Gill, 2016).

## **2.4 Automated Dispute Resolution and E-Consumer Protection**

Digital consumer disputes are tackled through online resolution mechanisms, which strive to deliver efficiency while adapting to align with constitutional principles. Drawing on comparative insights, the case is made for bolstering these systems by adopting and tailoring international best practices to the Indian context (Pathak, 2024).

Digital consumerism in India intertwines deeply with social justice, anchored in the constitutional mandate to guarantee equality and access for all. Transformative reforms in consumer protection laws and progressive judicial rulings have played a pivotal role in tackling pressing challenges such as digital inequality and privacy breaches. While digital consumerism has revolutionized markets, it has also intensified obstacles to achieving social justice. Tackling issues like digital disparities, safeguarding consumer rights, and curbing privacy violations is essential to harmonizing digital advancements with constitutional

values. Robust legal frameworks and well-crafted policies are vital to bridging the divide between technological innovation and equitable access, ensuring inclusive growth in the digital age.

### **3. SOCIAL JUSTICE AND INDIAN CONSTITUTION**

A powerful foundation for furthering social justice is provided by the Indian Constitution, which incorporates social justice within its provisions in a seamless manner. In its Preamble, the Constitution declares that it incorporates social, economic, and political justice as fundamental values. This is done with the intention of creating a society that is just and equal. Through the implementation of fundamental rights, directive principles of state policy, and specific affirmative action measures, these goals are brought into practical application.

#### **3.1. Foundation for Equality Can Be Found in Fundamental Rights**

In the third section of the Constitution, the Fundamental Rights are enshrined, which acts as a defense mechanism against inequality and injustice. Articles 14 through 18 in particular advocate for equality and provide a prohibition against discrimination:

- 1) Article 14 ensures that all citizens are treated without discrimination by guaranteeing that they are treated equally before the law and that they are afforded equal protection under the law. In the seminal decision of *Minerva Mills Ltd. v. Union of India*, AIR 1980 SC 1789, this concept was reaffirmed, highlighting the need of striking a balance between the rights of individuals and the objectives of public institutions.
- 2) Article 15 of the Constitution bans discrimination on the basis of religion, race, caste, sex, or place of birth. This provision demonstrates the state's dedication to fostering an inclusive civilization.
- 3) Article 17, a law that has a long history, eliminates the practice of untouchability, which is a kind of discrimination that is profoundly rooted in caste.

The goal of an equitable society in India is based on these rights, which guarantee that every individual will be treated with respect and would have opportunities available to them.

#### **3.2. A Vision for Justice Incorporated into the Directive Principles of State Policy**

Part IV provides an overview of the Directive Principles, which serve as a roadmap for the state to follow in order to achieve distributive justice and eradicate socio-economic imbalances.

- 1) Through the implementation of Article 38, the state is obligated to establish a social order that reduces disparities in terms of income, position, and opportunity.
- 2) Article 39(a) places an emphasis on ensuring that all people have enough means of living, whilst Articles 39(b) and (c) advocate for the equal allocation of resources through their provisions.
- 3) In order to emphasize the state's obligation for underrepresented populations, Article 46 makes a special appeal for the promotion of the educational and economic interests of Scheduled Castes (SCs), Scheduled Tribes (STs), and other weaker sections.

Despite the fact that these principles cannot be challenged in court, they play the role of a moral compass for legislative and executive measures, helping to close access and opportunity disparities.

### **3.3. Making Amends for Historical Wrongs Through the Use of Affirmative Action and Reservations**

In order to rectify past injustices and systematic inequities, the Constitution includes provisions for reserves and affirmative action of certain groups. Targeted interventions are examples of targeted interventions that are used to guarantee social mobility and equity. These interventions include special provisions for SCs, STs, and Other Backward Classes (OBCs) in education, employment, and political representation. The constitutional legality of reservations has been supported by landmark court interpretations, such as the case of *Indra Sawhney v. Union of India* (1992), which reinforced the role that reservations play in the process of establishing substantive equality.

### **3.4. For the Sake of Social Justice, Digital Consumerism is a Double-Edged Sword at Best**

In the present day and age, the fast expansion of digital consumption brings opportunities as well as challenges to the principles of social justice. The digital gap is exacerbated by digital platforms, which, despite the fact that they make access to information, commodities, and services more accessible to more people, also perpetuate existing imbalances. Inadequate digital literacy, limited internet access, and algorithmic biases all have a disproportionately negative impact on vulnerable people, which undermines the fundamental values of equality.

### **3.5. Bringing Progress and Justice into Balance**

The provisions of the Constitution comprise a comprehensive framework that may be utilized to solve these newly developing concerns. By utilizing digital technologies to bridge gaps rather than widening them, policymakers have the responsibility of ensuring that technology innovations are in accordance with the principles that are inscribed in the Constitution at all times. When it comes to upholding the principles of justice in the digital age, it is vital to take measures such as implementing data privacy legislation, ensuring that everyone has equal access to technology, and implementing digital literacy initiatives.

## **4. ANALYSIS OF DIGITAL CONSUMERISM: A PATHWAY TO SOCIAL JUSTICE**

The Constitution of India, which is a shining example of responsible governance and fairness, plays a crucial part in regulating digital consumption in order to guarantee that it is in accordance with the ideals of social justice. Interactions across socioeconomic groups are being reshaped as a result of digital consumerism, which is characterized by the proliferation of e-commerce platforms, online marketplaces, and digital transactions. On the other hand, its unregulated expansion faces the possibility of compromising constitutional principles, which calls for vigorous governmental interventions, judicial scrutiny, and programs that focus on inclusiveness.

### **4.1. Core Values and Principles:**

- 1) **Constitutional Framework in Action Policy Interventions:** Regulations enacted by the government, such as the Personal Data Protection Bill and the Consumer Protection Act, 2019, protect individuals against the abuse of their data and guarantee that digital transactions are conducted in a fair manner. In order to safeguard citizens from new concerns such as data

breaches and algorithmic biases, these frameworks were designed with the intention of striking a balance between innovation and justice.

- 2) Initiatives such as BharatNet and PMGDISHA (Pradhan Mantri Gramin Digital Saksharta Abhiyan) have been crucial in boosting connection and enhancing digital literacy in underserved regions. This has allowed for the digital divide to be bridged. In an effort to overcome the socioeconomic inequities that impede digital inclusion, these projects are working toward the goal of democratizing access to technology.
- 3) Judicial Oversight: In the face of the problems posed by digital consumerism, the court has maintained constitutional ideals. With the case of Justice K.S. Puttaswamy v. Union of India (AIR 2017 SC 4161), the Supreme Court of India established a precedent for the protection of people in an economy that is gradually becoming more digitalized. The court stressed the sanctity of data privacy as a basic right.

#### **4.2. Visible Lenses: The Confluence of Social Justice with the Consumerist Culture of the Digital Age**

- 1) Opportunities for Financial Gain: By removing geographical constraints, digital platforms have made it possible to access products and services in a way that was previously impossible. On the other hand, persisting financial disparities and low digital literacy are barriers to fair participation, which disproportionately affects communities who are marginalized and those living in rural areas. In terms of gender dynamics, digital consumption has enabled women to become economically independent by providing them with options for entrepreneurship and access to resources. In spite of this, gender prejudices are embedded in digital tools, algorithms, and payment systems, which contribute to the perpetuation of imbalances that already exist. Communities that are marginalized and caste-based prejudice have made their way into the world of the internet, despite the fact that digital platforms promote inclusiveness. Underprivileged populations continue to be marginalized as a result of hiring prejudices, algorithmic stereotyping, and digital exclusion, which challenges the promise of equitable digital progress.
- 2) Consumer Rights and Privacy: Concerns over data privacy and consumer protection have increased as a result of the rise of social media and digital consumerism. The Information Technology Act of 2000 and the Consumer Protection Act of 2019 both address these concerns; nevertheless, they are not sufficient to handle developing challenges such as deepfake frauds and manipulations powered by artificial intelligence. In this ever-changing environment, it is very necessary to readjust the legal frameworks in order to protect the interests of consumers.

#### **4.3. An Approach that Strikes a Balance Regarding the Future**

A comprehensive strategy is required that takes into account the intersection of social justice and digital consumption. Policymakers are obligated to devise measures that bring technological innovation and constitutional principles into harmony with one another. The strengthening of legislative protections, the promotion of inclusive governance, and the cultivation of digital literacy are all essential components in order to guarantee that the digital transformation will be in accordance with the goal of an equal society.

When it comes to the digital revolution, India is at a crossroads where its constitutional ethos has to be the guiding force. It is possible for the nation to keep its commitment to justice, liberty, and equality if it addresses the issues that are provided by digital consumption. This allows the nation to ensure that technology advancement is beneficial to all people in an equitable manner.

## **5. LANDMARK LEGAL PRECEDENTS AND CONSTITUTIONAL INTERPRETATION**

The Constitution of India, which was ratified in 1950, is a constitution that embodies the values of social, economic, and political fairness. It is a document that is considered to be progressive. The concept of social justice in the context of India places an emphasis on the elimination of structural inequalities that are based on caste, gender, religion, and economic imbalance in order to cultivate a society that is both inclusive and equitable. On the other hand, the emergence of digital consumerism, which is a phenomenon that is driven by e-commerce platforms, digital transactions, and online education, has presented both possibilities and obstacles in the process of realizing these constitutional principles.

### **5.1. The Accessibility of Electronic Commerce: A Double-Edged Sword**

Access to markets has been revolutionized by e-commerce giants such as Amazon and Flipkart, which has resulted in the creation of chances for small enterprises, rural entrepreneurs, and artisans to improve their livelihoods. The use of these platforms makes it possible for vendors located in rural places to access audiences on a national and international scale, which contributes to economic empowerment. However, monopolistic activities and pricing algorithms that are driven by data frequently undercut the concept of fair competition. Smaller vendors confront difficulties in maintaining their companies as a result of predatory pricing and the overwhelming influence of big competitors in the market.

In India, for instance, the Competition Commission of India (CCI) has conducted investigations into instances that involve charges of preferential treatment given by e-commerce platforms to certain vendors. These investigations have brought to light the contradiction that exists between monopolistic tendencies and inclusiveness. To effectively address these concerns, stringent restrictions are required to guarantee a fair playing field while also encouraging innovation.

### **5.2. Are Digital Payments Helping to Close the Gaps or Broadening the Divides?**

Unified Payments Interface (UPI) and mobile wallets are examples of digital payment systems that have revolutionized the financial ecosystem by making transactions more streamlined and accessible. Because they make it possible for anyone to take part in the digital economy, these technologies contribute to the promotion of financial inclusion. On the other hand, the advantages of digital payments continue to be inconsistently dispersed. People living in rural areas and senior citizens, who frequently lack the ability to use digital technology or access to the internet, are disproportionately excluded.

The ideals of social justice that are written in Articles 14 and 21 of the Constitution, which guarantee equality before the law and the right to live with dignity, are violated by the digital gap that exists today. The decision that was handed down by the Supreme Court in the case of

Justice K.S. Puttaswamy (Retd.) v. Union of India (2017) AIR SC 4161 highlighted the significance of data privacy and individual autonomy, highlighting the necessity of addressing vulnerabilities within the ecosystem of digital payment systems.

### **5.3. Unlocking Potential through Online Education**

Students now have access to high-quality learning resources and worldwide knowledge networks as a result of the proliferation of educational technology platforms, which have reshaped the educational landscape. Education has been democratized as a result of initiatives like as DIKSHA and SWAYAM, which now enable students living in distant places to get access to courses and resources that were previously out of their grasp. Nevertheless, this digital transition is plagued by stark disparities across the world.

The absence of gadgets, internet access, and digital literacy that marginalized children frequently experience has the effect of aggravating the educational inequities that already exist. In the course of the COVID-19 epidemic, a significant number of children who came from homes with low incomes were unable to participate in online classes, which essentially denied them their access to education as outlined under Article 21A of the Constitution.

The constitutional responsibility to rectify these deficiencies has been strengthened as a result of judicial interventions. The Supreme Court of India, in the case of Mohini Jain v. State of Karnataka (1992) AIR SC 1858, reaffirmed that the right to education is inextricably linked to the right to life, highlighting the obligation of the state to guarantee that all individuals have equal access to education. The development of digital infrastructure and tailored subsidies should be given priority by policymakers in order to offset the effects of these difficulties.

### **5.4. Regulatory and Policy Initiatives of the Judicial Branch**

A significant contribution has been made by the Indian court in the interpretation of constitutional obligations to ensure the maintenance of social justice in the digital era. Section 66A of the Information Technology Act was overturned by the Supreme Court of India in the case of Shreya Singhal v. Union of India (2015) AIR SC 1523. This decision ensured that individuals had the right to freedom of speech online and reaffirmed the values of liberty and equality. In a similar vein, the Supreme Court of India, in the case of Anuradha Bhasin v. Union of India (2020) 3 SCC 637, emphasized the significance of internet access as a facilitator of basic rights.

The digital gap is another issue that policy efforts are working to address. The National Digital Literacy Mission is an initiative that aims to provide individuals with the knowledge and abilities necessary to properly engage in the digital financial system. In the meanwhile, proposed legislation for data protection resolves issues over privacy and assures responsibility in the use of personal data. This law is in keeping with the constitutional spirit that was established in the Puttaswamy verdict.

The Supreme Court of India, in the case of Google India Pvt. Ltd. v. Visaka Industries (2020), acknowledged the responsibility of intermediaries in the protection of user rights. This decision served to highlight the significance of accountability in digital domains. A similar decision was made in the case of Reserve Bank of India v. Internet and Mobile Association of India (2020), which resulted in the lifting of the prohibition on



cryptocurrencies. This decision brought attention to the promise of digital innovation while also underlining the necessity of regulatory protecting measures.

## **6. OPPURTUNITIES AND CHALLENGES**

The inexpensive internet, growing smartphone penetration, and forward-looking programs such as Digital India have all contributed to the rapid transformation of India's socio-economic environment, which has been driven by digital consumption. When it comes to social justice, the repercussions of this revolution are complicated and multidimensional, despite the fact that it has made access to commodities and services more democratic.

### **6.1. Availability and Participation**

As a result of the emergence of digital platforms as powerful instruments for bridging societal divides, excluded people now have the opportunity to participate in economic and social spheres. Through the implementation of the Unified Payments Interface (UPI), digital transactions have been transformed, hence allowing seamless financial inclusion. In a same vein, online education platforms like as DIKSHA and e-Pathshala have expanded access to information, which has empowered both students and professionals alike. The potential of technology to break down structural barriers and create a society that is more welcoming to people of all backgrounds is exemplified by these breakthroughs.

### **6.2. The Persistent Division in Digital Access**

A significant digital divide is shown by digital consumption, notwithstanding the progress that has been made. Rural communities, women, and economically disadvantaged groups are particularly affected by disparities in internet connectivity, digital literacy, and access to inexpensive equipment. Rural regions had a penetration rate of just 37% of the internet, while urban areas had a penetration rate of 69%, according to a report published by the Telecom Regulatory Authority of India (TRAI) in 2022. As a result of socio-cultural hurdles and poor digital education, women, in particular, confront compounded challenges that exacerbate existing inequities. The constitutional ideal of fairness is in danger of being undermined by this digital gulf, which will leave marginalized groups even further behind in the battle to improve their digital skills.

### **6.3. Bias in Algorithmic Systems and the Protection of Consumers**

The making of decisions by algorithms, which is a defining characteristic of digital platforms, frequently poses the risk of perpetuating social prejudices. When algorithms are trained on historical data, there is a possibility that they will favor dominant groups, so perpetuating existing inequities rather than removing them. It is possible, for instance, for minority populations to be marginalized by biased suggestions in online employment portals or e-commerce platforms. A further point to consider is that the rapid growth of digital consumerism calls for the establishment of comprehensive consumer protection procedures in order to prevent consumers from being exploited, having their data compromised, and receiving false information. In an effort to address these issues, regulatory frameworks have been developed, such as India's Consumer Protection (E-commerce) Rules, 2020; nevertheless, the implementation of these rules continues to be a difficulty.

#### **6.4. Finding the Right Balance**

Despite the fact that the expansion of digital consumption in India has enormous prospects for the promotion of social justice, it also highlights the importance of remaining vigilant. It is imperative that policies and initiatives, while simultaneously embracing technological innovation, address systemic imbalances. Making investments in infrastructure, fostering digital literacy, and building platforms that are inclusive are all necessary steps in the process of bridging the digital divide. Additionally, in order to eliminate algorithmic biases and guarantee fair access, it is vital to have ethical norms for artificial intelligence as well as stricter consumer protection regulations.

Within the context of India's efforts to achieve social justice, digital consumption may be seen as both a blessing and a curse. The advantages of technology continue to be unequally dispersed, despite the fact that it has the capacity to level the playing field entirely. Because of the interaction between constitutional principles and technological advancements, it is necessary to take a balanced approach in order to guarantee that development does not come at the expense of equity. The country of India has the potential to pioneer the way for a future in which technology will act as a genuine facilitator of justice if it aligns its digital transformation with the principles of inclusion and fairness.

### **7. SUGGESTIONS**

The Constitution of India, which is a shining example of justice, fairness, and liberty, enshrines the concepts of social justice with the intention of eradicating structural inequities that are founded in caste, gender, religion, and other forms of economic inequity. In the process of reshaping the socio-economic fabric of the nation, digital consumption presents possibilities as well as problems for the realization of these fundamental goals. In spite of the fact that the expansion of e-commerce, digital payments, and online marketplaces has made it easier for more people to get their hands on products and services, it has also brought to light discrepancies in access, worries about privacy, and ethical decisions. In order to bring digital consumerism into harmony with the fundamental principles outlined in the Constitution, a comprehensive framework is required.

#### **7.1. Bridging the Gap in Digital Technology**

The digital change that India has undergone has brought about opportunities that have never been seen before, but it has also brought to light the "digital divide," in which rural and underprivileged groups are frequently left behind. For example, in the case of *Anuradha Bhasin v. Union of India (2020)*, the Supreme Court of India emphasized the right to internet access as a basic right under Article 19, highlighting the role that it plays in preserving equality and freedom. It is necessary to implement comprehensive policies in order to overcome infrastructure gaps in order to address this divide. This is especially true in rural regions, where insufficient connection reduces the likelihood of involvement in the digital economy. Steps that are essential to achieving fair access include increasing the prevalence of broadband internet, providing subsidies for internet access, and offering incentives to private investments in areas that are underserved.

## **7.2. In order to Promote Digital Literacy**

A key component of successful digital inclusion is the acquisition of digital literacy. Knowledge gaps may be bridged by the implementation of programs that are specifically designed to empower vulnerable groups, such as older citizens, women, and populations with lower incomes. The Pradhan Mantri Gramin Digital Saksharta Abhiyan is one example of an initiative that has begun to meet this demand; nevertheless, it is necessary for these initiatives to expand and include the community more deeply. Providing persons with the ability to acquire digital skills not only assures their active involvement in digital consumption but also contributes to the fight against practices that are exclusive.

## **7.3. Intensifying the Existing Legal Structures**

As a result of the one-of-a-kind issues that digital consumption presents, the legal environment has to undergo a transformation. Data privacy, algorithmic accountability, and consumer protection are all examples of issues that need to be brought into alignment with constitutional ideals. When the Supreme Court of India issued its historic decision in the case of Justice K.S. Puttaswamy (Retd.) v. Union of India (2017), it acknowledged that the right to privacy is a fundamental right under Article 21, which prompted the need for comprehensive data protection regulations. It is the intention of the Digital Personal Data Protection Act (2023) to protect user data from being misused while also maintaining compliance with international standards such as the General Data Protection Regulation (GDPR). In addition, consumer protection regulations, such as the Consumer Protection Act (2019), need to be modified in order to govern behaviors that result in deception and to guarantee that digital markets are characterized by fair competition.

## **7.4. The Regulation of Algorithms and the Promotion of Ethical Artificial Intelligence**

The decisions that consumers make, the resources they have access to, and the possibilities they have are increasingly influenced by algorithms and artificial intelligence (AI). Nevertheless, the inherent biases in AI systems have the potential to perpetuate prejudice, hence increasing existing socioeconomic disparities. In order to reduce the impact of these risks, it is necessary to implement anti-discrimination audits and transparent algorithmic methods. For businesses that are active in India, ethical artificial intelligence (AI), as stressed in global standards such as the AI ethics guidelines developed by UNESCO, has to become a focus. For the purpose of preventing harm to underrepresented populations, organizations need to include fairness, accountability, and inclusion into the creation of artificial intelligence.

## **7.5 The Protection of Data Sovereignty**

When it comes to protecting the rights of users in the digital age, data sovereignty, often known as the management of data inside national boundaries, stands out as an essential component. The protection of user data from being misused becomes of the utmost importance as our reliance on global digital platforms continues to grow. In order to strengthen trust and accountability, legal frameworks need to impose strong data localization rules and encourage compliance with global standards such as the General Data Protection

Regulation (GDPR). Not only does strengthening data sovereignty safeguard individuals, but it also strengthens the legitimacy of India's digital economy on the international arena.

## 8. CONCLUSION

India's constitutional vision of social justice is significantly enhanced by digital consumerism. Social justice, which is founded on the principles of inclusivity, dignity, and equality, endeavours to eliminate systemic inequities that are deeply ingrained in economic, gender, religious, and caste disparities. The emergence of digital consumerism, which is defined by the pervasive use of e-commerce platforms, digital payments, and online marketplaces, has revolutionized socio-economic interactions. It has introduced significant challenges while also providing new pathways to empowerment.

The evolving nature of justice in the digital era is exemplified by the interplay between constitutional principles and digital consumerism. Digital platforms have the potential to lower traditional barriers to opportunity by democratizing access to products, services, and information. For example, Digital India is a program that seeks to facilitate equitable access to technology by bridging the divide between rural and urban communities. Nevertheless, this assurance is undermined by the harsh realities of life. The digital divide, which is a fissure between those who have access to technology and those who do not, has the potential to further entrench existing inequalities. Groups that are marginalized and lack access to reliable internet or digital literacy are still on the peripherals of this digital revolution.

These concerns are further exacerbated by the monopolistic practices, algorithmic bias, and data privacy of technology titans. Digital consumerism poses a threat to constitutional guarantees of equality and equity in the absence of effective protections. For instance, vulnerable populations may be disadvantageously affected in critical areas such as employment and credit access as a result of data-driven algorithms that inadvertently reinforce societal biases.

In order to reconcile digital consumerism with the constitutional mandate of social justice, policymakers must implement a multifaceted approach. Initially, inclusive development can be fostered by improving digital infrastructure and literacy in underserved regions. Second, the preservation of consumer rights and the cultivation of trust in digital platforms can be achieved by enacting and enforcing rigorous data protection laws. Third, the promotion of accountability in algorithm design and operation can reduce biases, thereby guaranteeing transparency and impartiality. India can leverage the transformative potential of digital consumerism to advance the principles enshrined in its Constitution by proactively addressing these challenges. This necessitates a delicate equilibrium between the preservation of social equity and technological innovation, thereby guaranteeing that no one is left behind in the digital era. In the end, the convergence of constitutional principles and technological innovations can establish a more equitable and just society, thereby reconciling disparities and fulfilling the nation's founding mandate.

## 9. ACKNOWLEDGEMENTS

The authors express sincere gratitude to Prof. Santosh Kumar Tripathy, Vice-Chancellor, Fakir Mohan University, Balasore; Prof. Dr. Binay Kumar Das, Dean, PG. Department of Law, Fakir Mohan University, Balasore, and Prof. S.A.K. Azad, Dean, SoA National Institute of Law, SoA University, Bhubaneswar for their invaluable support.

## 10. REFERENCES

- 1) Ambedkar, B.R., "The Constitution of India and Its Philosophy"; Ministry of Electronics and IT, "Digital India Reports"; UNDP, "Digital Inclusion for Development".
- 2) Ambedkar, B.R., Speeches on the Constitution of India.
- 3) Anil Kumar Singh, *Consumer Protection; Legal Framework in Indian Perspective*, Asia Pacific Journal of Management & Entrepreneurship Research (2013).
- 4) Anuradha Bhasin v. Union of India, (2020) 3 SCC 637.
- 5) Aparajita Modak, *Digital Media and Consumerism: An Empirical Study of Digital Promotion and its Impact in the Guwahati Region*, INT'L SCI. J. OF ENG'G & MGMT. (2024).
- 6) Basu, D.D., "Commentary on the Constitution of India"; Granville Austin, "The Indian Constitution: Cornerstone of a Nation"; Relevant case laws from the Supreme Court of India.
- 7) Basu, D.D., Introduction to the Constitution of India; Granville Austin, The Indian Constitution: Cornerstone of a Nation.
- 8) Constitution of India, 1950.
- 9) Durai & King, *Impact of Digital Marketing on the Growth of Consumerism*, Behavioral Marketing E-Journal (2019).
- 10) G. Gill, *The Social Justice Bench of the Supreme Court of India: a New Development*, Public Law (2016).
- 11) Information Technology Act of India, 2000.
- 12) J. Anthony, Sudarsan Padmanabhan, *Digital Divide and Equity in Education: A Rawlsian Analysis*, Journal of Information Technology Case and Application Research (2010).
- 13) Justice K.S. Puttaswamy v. Union of India, AIR 2017 SC 4161; Consumer Protection Act, 2019; Personal Data Protection Bill; UNDP Digital Inclusion Reports.
- 14) M. Zalnieriute, *Against Procedural Fetishism: A Call for a New Digital Constitution* (2024).
- 15) Minerva Mills Ltd. v. Union of India, AIR 1980 SC 1789; UNDP Digital Inclusion Reports.
- 16) Ministry of Electronics and Information Technology, Digital India Initiatives.
- 17) Mohini Jain v. State of Karnataka, AIR 1992 SC 1858.
- 18) Narayan, J., "Digital Consumerism in India"; UNDP Digital Inclusion Reports. National Digital Literacy Mission, Government of India.
- 19) Nidhi Tewathia et al., *Social Inequalities, Fundamental Inequities, and Recurring of the Digital Divide: Insights from India*, Tech. in Soc'y (2020).
- 20) Rajkumar Singh, *Indian Experiments with Social Justice: A Status Report*, Canadian Soc. Sci. (2016).
- 21) R.H. Raghavendra, Dr B.R. Ambedkar's Ideas on Social Justice in Indian Society (2016).
- 22) S. Kumar, Constitution of India and Social Justice: A Contemporary Review (2019).
- 23) S. U. Kucuk, *Consumerism in the Digital Age*, Journal of Consumer Affairs (2016).

- 24) Sujeet Kumar Pathak, *Legal and Commercial Dynamics of E-Consumer Protection: Navigating Challenges in India's Digital Economy*, International Journal for Multidisciplinary Research (2024).
- 25) S. Masiero & C. Buddha, *Data Justice in Digital Social Welfare: A Study of the Rythu Bharosa Scheme* (2021).
- 26) S. Roy, *Consumer Justice: A Symbol of Economic Prosperity and Social Progressiveness*, Hasanuddin L. Rev. (2016).
- 27) Shreya Singhal v. Union of India, AIR 2015 SC 1523.
- 28) Supreme Court Judgments; Consumer Protection Act 2019; UNESCO AI Ethics Guidelines; Pradhan Mantri Gramin Digital Saksharta Abhiyan Reports.
- 29) Telecom Regulatory Authority of India (TRAI), Rural Internet Penetration Report 2022.
- 30) The Consumer Protection Act, 2019.
- 31) United Nations Development Programme (UNDP), Digital Inclusion Reports.
- 32) V.M. Gawas, *The Relevance of Social Justice in the Present Context of Indian Constitution* (2019).