

Government of India
Ministry of Consumer Affairs, Food and Public Distribution
Department of Consumer Affairs

LOK SABHA
UNSTARRED QUESTION NO. 2754
TO BE ANSWERED ON 07.08.2024

E-COMMERCE REGULATIONS

2754. SHRI KOTA SRINIVASA POOJARY:

Will the Minister of **CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION** उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्री be pleased to state:

- (a) the provisions for regulating e-commerce in view of the rapid development of e-commerce leading to new challenges for the consumers;
- (b) whether it is a fact that consumer rights and protection with respect to e-commerce transactions are not effectively being dealt within the existing Consumer Protection Act;
- (c) if so, the details in this regard alongwith the steps taken by the Government to protect the rights of e-consumers and prevent unfair trade practices;
- (d) the manner in which the Government is planning to address the issues such as the place of business, jurisdiction, non-availability of common dispute resolution system etc.; and
- (e) the salient features and significance of Consumer Protection Act, 2019?

ANSWER

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण राज्य मंत्री
(श्री बी.एल. वर्मा)

THE MINISTER OF STATE
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(SHRI B.L.VERMA)

(a) to (e) : With a view to modernize the framework governing the consumer protection in the new era of globalization, technologies, e-commerce markets etc Consumer Protection Act, 1986 was repealed and Consumer Protection Act, 2019 was enacted.

The Consumer Protection Act, 2019 provides for a three tier quasi-judicial machinery at District, State and Central levels commonly known as “Consumer Commissions” for protection of the rights of consumers and to provide simple and speedy redressal of consumer disputes including those related with unfair trade practices.

Salient features of the Consumer Protection Act, 2019 are establishment of a Central Consumer Protection Authority(CCPA); simplification of the adjudication process in the Consumer Commissions; filing of a complaint by a consumer in the Consumer Commission having jurisdiction over the complainant’s place of residence/work or where the cause of action arises, or the place of business or residence of the opposite parties; virtual hearing; deemed admissibility of complaints if admissibility is not decided within 21 days of filing; provision of product liability; penal provisions for manufacture/sale of adulterated products/spurious goods; provision for making rules for prevention of unfair trade practice in e-commerce and direct selling etc.

The Department has notified the Consumer Protection (E-commerce) Rules, 2020 under the provisions of the Consumer Protection Act, 2019 to safeguard consumers from unfair trade practices in e-commerce. These rules, inter-alia, outline the responsibilities of e-commerce entities and specify the liabilities of marketplace and inventory e-commerce entities, including provisions for customer grievance redressal.

The Bureau of Indian Standards (BIS) has notified framework on 'Online Consumer Reviews — Principles and Requirements for their Collection, Moderation and Publication' on 23.11.2022 for safeguarding and protecting consumer interest from fake and deceptive reviews in e-commerce.

The Central Consumer Protection Authority, in exercise of the powers conferred by Section 18 of the Consumer Protection Act, 2019, has issued "Guidelines for Prevention and Regulation of Dark Patterns, 2023" on 30th November, 2023 for prevention and regulation of dark patterns listing 13 specified dark patterns identified in e-Commerce sector.
