



INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS

Open Access, Refereed Journal Multi Disciplinary
Peer Reviewed Edition :

www.ijlra.com

DISCLAIMER

No part of this publication may be reproduced or copied in any form by any means without prior written permission of Managing Editor of IJLRA. The views expressed in this publication are purely personal opinions of the authors and do not reflect the views of the Editorial Team of IJLRA.

Though every effort has been made to ensure that the information in Volume 2 Issue 7 is accurate and appropriately cited/referenced, neither the Editorial Board nor IJLRA shall be held liable or responsible in any manner whatsoever for any consequences for any action taken by anyone on the basis of information in the Journal.

Copyright © International Journal for Legal Research & Analysis

IJLRA

EDITORIAL TEAM

EDITORS



Megha Middha

Megha Middha, Assistant Professor of Law in Mody University of Science and Technology, Lakshmangarh, Sikar

Megha Middha, is working as an Assistant Professor of Law in Mody University of Science and Technology, Lakshmangarh, Sikar (Rajasthan). She has an experience in the teaching of almost 3 years. She has completed her graduation in BBA LL.B (H) from Amity University, Rajasthan (Gold Medalist) and did her post-graduation (LL.M in Business Laws) from NLSIU, Bengaluru. Currently, she is enrolled in a Ph.D. course in the Department of Law at Mohanlal Sukhadia University, Udaipur (Rajasthan). She wishes to excel in academics and research and contribute as much as she can to society. Through her interactions with the students, she tries to inculcate a sense of deep thinking power in her students and enlighten and guide them to the fact how they can bring a change to the society

Dr. Samrat Datta

Dr. Samrat Datta Seedling School of Law and Governance, Jaipur National University, Jaipur. Dr. Samrat Datta is currently associated with Seedling School of Law and Governance, Jaipur National University, Jaipur. Dr. Datta has completed his graduation i.e., B.A.LL.B. from Law College Dehradun, Hemvati Nandan Bahuguna Garhwal University, Srinagar, Uttarakhand. He is an alumnus of KIIT University, Bhubaneswar where he pursued his post-graduation (LL.M.) in Criminal Law and subsequently completed his Ph.D. in Police Law and Information Technology from the Pacific Academy of Higher Education and Research University, Udaipur in 2020. His area of interest and research is Criminal and Police Law. Dr. Datta has a teaching experience of 7 years in various law schools across North India and has held administrative positions like Academic Coordinator, Centre Superintendent for Examinations, Deputy Controller of Examinations, Member of the Proctorial Board



Dr. Namita Jain



Head & Associate Professor

School of Law, JECRC University, Jaipur Ph.D. (Commercial Law) LL.M., UGC -NET Post Graduation Diploma in Taxation law and Practice, Bachelor of Commerce.

Teaching Experience: 12 years, AWARDS AND RECOGNITION of Dr. Namita Jain are - ICF Global Excellence Award 2020 in the category of educationalist by I Can Foundation, India. India Women Empowerment Award in the category of "Emerging Excellence in Academics by Prime Time & Utkrisht Bharat Foundation, New Delhi.(2020). Conferred in FL Book of Top 21 Record Holders in the category of education by Fashion Lifestyle Magazine, New Delhi. (2020). Certificate of Appreciation for organizing and managing the Professional Development Training Program on IPR in Collaboration with Trade Innovations Services, Jaipur on March 14th, 2019

Mrs.S.Kalpana

Assistant professor of Law

Mrs.S.Kalpana, presently Assistant professor of Law, VelTech Rangarajan Dr. Sagunthala R & D Institute of Science and Technology, Avadi. Formerly Assistant professor of Law, Vels University in the year 2019 to 2020, Worked as Guest Faculty, Chennai Dr.Ambedkar Law College, Pudupakkam. Published one book. Published 8 Articles in various reputed Law Journals. Conducted 1 Moot court competition and participated in nearly 80 National and International seminars and webinars conducted on various subjects of Law. Did ML in Criminal Law and Criminal Justice Administration. 10 paper presentations in various National and International seminars. Attended more than 10 FDP programs. Ph.D. in Law pursuing.



Avinash Kumar



Avinash Kumar has completed his Ph.D. in International Investment Law from the Dept. of Law & Governance, Central University of South Bihar. His research work is on "International Investment Agreement and State's right to regulate Foreign Investment." He qualified UGC-NET and has been selected for the prestigious ICSSR Doctoral Fellowship. He is an alumnus of the Faculty of Law, University of Delhi. Formerly he has been elected as Students Union President of Law Centre-1, University of Delhi. Moreover, he completed his LL.M. from the University of Delhi (2014-16), dissertation on "Cross-border Merger & Acquisition"; LL.B. from the University of Delhi (2011-14), and B.A. (Hons.) from Maharaja Agrasen College, University of Delhi. He has also obtained P.G. Diploma in IPR from the Indian Society of International Law, New Delhi. He has qualified UGC - NET examination and has been awarded ICSSR - Doctoral Fellowship. He has published six-plus articles and presented 9 plus papers in national and international seminars/conferences. He participated in several workshops on research methodology and teaching and learning.

ABOUT US

INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS
ISSN

2582-6433 is an Online Journal is Monthly, Peer Review, Academic Journal, Published online, that seeks to provide an interactive platform for the publication of Short Articles, Long Articles, Book Review, Case Comments, Research Papers, Essay in the field of Law & Multidisciplinary issue. Our aim is to upgrade the level of interaction and discourse about contemporary issues of law. We are eager to become a highly cited academic publication, through quality contributions from students, academics, professionals from the industry, the bar and the bench. INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS ISSN 2582-6433 welcomes contributions from all legal branches, as long as the work is original, unpublished and is in consonance with the submission guidelines.

E-COMMERCE AND CONSUMER PROTECTION **ACT IN INDIA**

AUTHORED BY - SMITA R. NAIK¹ & KABRA AKSHAY²

(¹Student of first year LLM and ²Assistant Professor, PES' Modern Law College, Pune)

Abstract

This article explains consumer protection laws for online shopping which underscores the importance of understanding the laws that safeguard the interests of online shoppers. This article delves into the intricacies of these laws, providing a comprehensive guide to your rights as a consumer in India. This Act serves as the primary legal framework designed to defend consumer interests, offering a clear and concise approach to addressing grievances related to online shopping.

Keywords: CP Act (2019) India, e-commerce, online protection, online shopping, e-daakhil

Introduction

E-commerce has been booming since the advent of the worldwide web / internet in 1991. First e-commerce transaction took place with Boston Computer Exchange that launched its first e-commerce platform way back in 1982. E-commerce growth potential is directly associated with internet penetration. Increase in worldwide use of mobile devices / smart-phones has primarily led to the growth of e-commerce. With mobile devices, individuals are more versatile and passive in buying and selling over the internet. Growth of the millennial digital-savvy workforce, mobile ubiquity and continuous optimization of e-commerce technology is pressing the hand and speed of the historically slow-moving buyers to buyers' market. Now a day, e-commerce has reshaped global retail market and it is vibrant and ever-expanding business model. Its future is even more competitive than ever, with the increasing purchasing power of global buyers, the proliferation of social media users and increasingly advancing infrastructure and technology.¹

E-commerce development includes a number of legal as well as consumer challenges. It is not just using network-based technologies to carry out business. It is about moving a whole

¹ [Neelam Chawla](#) and [Basanta Kumar](#). (2021).Published online 9-7- 2021. doi: [10.1007/s10551-021-04884-3](https://doi.org/10.1007/s10551-021-04884-3), last seen on 12-4-24

organization to a fully electronic environment through a change in their work procedures, reengineering their business processes, integrating them with their business partners beyond their traditional boundaries. It has brought complete revolution in the way businesses are conducted. There is paradigm change from paper-based transactions to fully electronic organizations. In this changing scenario, the law is struggling to keep up.²

E-commerce is defined as a process of businesses and trading with goods and services using electronic links. It means doing business over the internet selling goods and services which are delivered offline, as well as goods which are digitalized and delivered online. Such mode of buying and selling through internet is termed as e-commerce. The e-commerce is classified as 1. Business to business (longest business form and involves supply chain management viz. e-procurement) 2. Business to consumer (involves businesses introducing and selling products to consumer through online internet service) 3. Consumer to consumer (online market one can buy and sell goods to each other) 4. Businesses to the Government (sell goods and services).³

Person who buys any goods or avails services viz., offline / online transactions through electronic means or by teleshopping or direct selling or multi-level marketing, which has been paid or promised or partly paid and partly promised or under any system of deferred payment also includes the user with approval of such goods or beneficiary of services. On the contrary, person who obtains goods free of charge or who avails services free of charge or who obtains goods for resale or for commercial purposes or who avails services for commercial purposes or who avails services under contract of service is not be considered as consumer.⁴

The 1990s, promised new horizon in the field of technology and commerce with the meteoric rise of the internet. Ease and functional value of proliferation in trade wherein, new customer bases or business scalability reached with use of the internet. This frictionless process spanning international jurisdictions fetched need of supervisory mechanism in some form of the regulatory framework. Thus, United Nations Commission on International Trade Law (UNCITRAL) took up this task and gave a set of model laws for its signatory countries to ratify which was aimed at removing any unnecessary obstacles to international trade. IT Act (2000) was amended (2008) in India for the benefits under [Foreign Direct Investment \(FDI\) policy](#) for e-commerce. Basis behind this policy change was to protect unorganized, small sellers who cannot economically compete

² <https://lawdocs.in/blog/consumer-protection-with-respect-to-e-commerce>, last seen on 12-4-24

³ Chinmay Patra (2021). Relevance of consumer protection Act (2019) in e-commerce. *Ind. J. of Law & Justice*. vol. 12 (1) pp. 291-300. ISSN: 0976-3570

⁴ C:\Users\Admin\Desktop\Semester - III\Cons prot for online shopping\consumer protection act 2019.pdf, last seen on 12-4-24

with major e-commerce entities, yet at the same time, it stunts the growth of such e-commerce entities that receive funding from offshore investors, thereby limiting potential market in sectors such as employment.⁵

New digital age has shown new set of customer expectations in the era of e-commerce and digital branding leading to new sets of challenges faced by the customers in India. Earlier, Consumer Protection Act was passed in 1986 that had certain loopholes. Hence there was need of new Act that was passed in 2019 (hereinafter referred to as CPA) and implemented 2020 that replaced CPA (1986) to protect interests of consumers along with timely, effective administration and settlement of consumers disputes. Thus, lacunas, surged laws, lack of trust and inadequacy of the earlier Act were eliminated to provide security amongst online consumers to protect their rights and to build sense of confidence among them.

Discussion

The expressions 'buys any goods' and 'hires or avails any services' include offline and/or online transactions through electronic means or by teleshopping or by direct selling or multi-level marketing. Consumer is a person who buys goods from his earning through livelihood by means of self-employment for himself. In contrast, the person who obtains/avails goods /services free of charge and/or who obtains/avails goods/services for commercial purpose/on contractual basis is not considered to be consumer. Under this Act, consumer has six rights viz., Right to safety; Right to be informed; Right to choose; Right to be heard; Right to seek redressal and Right to consumer awareness. Ecommerce entities are now required to obtain an express consent from its consumers for purchase of any good / service offered on its platform. Price of the goods / services offered cannot be manipulated by e-commerce entities to gain unreasonable profits. As per e-commerce rules, e-commerce entity is defined as 'any person, who owns, operates or manages digital or electronic facility or platform for electronic commerce, but does not include seller offering his goods or services for sale on marketplace'.

Consumer protection concerns in global e-commerce and describes system that facilitates sales of products and services through electronic exchange. Through cost reductions, competition, and a better production process organization, e-commerce boosts productivity and expands choice as the corporate system is dependent on the consumers. Physical trade was replaced by e-commerce (online commerce) as technology advanced. E-commerce must be accessible to all consumers. In order to prevent unfair, deceptive and fraudulent online behaviour, the ongoing development of

⁵ <https://blog.ipleaders.in/consumer-protection-and-e-commerce-jurisprudence-in-india/>, last seen on 12-4-24

transparent and effective consumer protection systems is necessary to increase the consumer confidence in e-commerce. Due to the increase in the trend of e-commerce, there is an increase in online fraud which is affecting the consumers' interest which in turn is losing trust and faith of the consumers.

CPA (2019) serves as primary legal framework designed to defend consumer interests, offering a clear and concise approach to addressing grievances related to online shopping. Under the Act, the online retailers are required to provide all necessary information regarding the goods and services they offer which also include details about prices, expiry dates, return policies, and other relevant data. E-commerce platforms are required to establish an efficient grievance redressal mechanism with appointment of grievance officer whose contact details are to be made available on the website. The Act introduces an 'Online Dispute Resolution (ODR)' mechanism, enabling consumers to file complaints online through the *e-Daakhil* portal. This platform simplifies the complaint process, making it more accessible and efficient. Consumer protection laws for online shopping in India provide robust framework to protect the interests of consumers. By understanding the rights and the mechanisms in place for redressal, one can shop online with confidence. It's crucial to stay informed and be vigilant in ensuring that online shopping experiences are safe and fair.

All transactions made through online e-commerce platforms are providing protection to consumers against the unfair trade practices that include false representation, misleading advertisements, charging above MRP and refusing to take back defective goods or discontinue deficient services. If the issue is not resolved, one can file complaint with consumer forum through the online Consumer Mediation Centre (OCMC) or the *e-Daakhil* portal or directly with Consumer Forum, depending on jurisdiction and claim-value. Complaint must be filed within two years from date on which the cause of action arises.

Return policies depend on terms and conditions of the online seller. The Act does not mandate return unless product is defective or different from what was promised. Remedies include replacement of product, refund of price paid, removal of defects in product, discontinuation of unfair trade practices and compensation for any loss or injury suffered. Consumers can claim compensation for mental agony and physical harm in addition to the loss or damage suffered due to unfair trade practices or deficient services. The Central Consumer Protection Authority (CCPA) regulates matters relating to violation of consumer rights, unfair trade practices and misleading advertisements. It can issue directives and penalties against defaulting manufacturers or service providers.

The Act includes provisions of mandate disclosure of seller details, grievance officer, conformity

of goods and services with the declared standards. If the service or product was availed or bought for use in India, consumers can approach Indian consumer forums despite the seller being based internationally. Misleading advertisement is any information that falsely describes product or service, giving misleading impression about its nature, characteristics or quality. Depending on the terms and conditions of the online seller and type of product or service, consumers may have the right to cancel or withdraw from a contract within a specified period. Product liability refers to responsibility of manufacturers, sellers or service providers to compensate for harm caused by defective products or services. The online reviews can provide context, consumer complaints are primarily based on the personal experience and evidence of the complainant. If online seller does not respond to consumer complaint, consumer can escalate the matter to Consumer Forum, which can then summon the seller and proceed with the case. More information can be found on the official websites of Department of Consumer Affairs, CPA (2019) and National Consumer Helpline (NCH).

The Act establishes three-tier grievance redressal mechanism at the district, state and national levels ensuring that the consumers may seek redressal against unfair trade practices or unscrupulous exploitation. The legislation ensures that consumer complaints are heard promptly, with the Consumer Protection Councils set up at the district, state, and national levels advocating on behalf of consumers. In addition to this Act, 'E-Commerce Guidelines for Consumer Protection (2020) further safeguard online shoppers. These guidelines mandate transparency in terms of seller details, return policies, and terms of contract. Financial jurisdiction under CPA (2019) under the three-tier grievance redressal mechanism are 1) District Commission Dispute Redressal Commission: Cases involving value of goods and services paid for as consideration less than one crore INR. 2) State Commission Dispute Redressal Commission: Cases involving value of goods and services paid for consideration less than Ten crore INR. 3) National Commission Dispute Redressal Commission: Cases involving value of goods and services paid for consideration more than ten crore INR. In all the three levels, central government may prescribe such value to exceed the amount, if deemed to be necessary and will be addressed under this commission. Centre has notified Jurisdiction Rules (2021) in all these three levels *viz.*, the district, state and national commission shall entertain the cases involving value of goods and services less than fifty lacs INR; more than fifty lacs and less than 2 crores INR; and more than two crores INR, respectively. The obligation of appointing a grievance redressal officer has also been extended to the sellers. E-commerce entities are already taking adequate representations from the sellers (at the time of onboarding) ensuing compliance with the obligations under the E-commerce Rules. In order to weed out unscrupulous sellers, the Rules have made it mandatory for the sellers

to disclose certain prescribed information to marketplace which information is required to be displayed on the marketplace platform.⁶

Central consumer protection authority whose primary objective is to protect and enforce consumers rights. The authority is empowered to conduct investigations into violation of rights and institute complaints, impose penalties on manufacturers for misleading advertisements. Punishment for manufacture of spurious goods in case any manufacturer is involved in sale of expiry products can be held liable, dealing in malicious practices. Any person aggrieved by the orders given by national commission dispute redressal commission can approach the Supreme Court within a period of thirty days from the date of the order.

Primary objective of e-commerce is to ensure the same level of protection to consumers as in other forms of commerce. Appropriate awareness in respect of transparency in disclosure of information; data and payment security; responsible endorsement, and redress seems to be needed to protect consumers' rights, to build faith in online shopping, to help them in smooth functioning and to boost the e-commerce system.

In today's modern era, e-commerce transaction has indeed become a felt need. Now it has become quite common for the consumers to place order online instead of going to the market for purchasing by just clicking on one link. Still then there are lots of problems faced by the online consumers in different sectors especially like in placing order of food online on Swiggy, Zomato etc. and also in clothing sector like Meesho, Myntra etc. There are cases where these companies provided goods and services to customers which are defective, imitation goods which results in deficiency of services. Today we stand far off from the upsetting pictures of the past yet it does not take a farfetched imagination for one to understand the potential risks still borne by customers where the very nature of transaction compels the customer to be in absolute dependence on the seller for goods and/or services.

Legislation protecting Indian consumers is at par with the most global standards and implements various proficient statutes as per the need and requirements of the market. Points of practical issues such as 'defect' and 'deficiency' which come up in standard consumer complaints have been defined and addressed by the legislation which further narrows the possibilities of abuse of consumers. Further, the central consumer protection authority has been delegated with the power to regulate and investigate issues, which in turn reduces the delay in the delivery of justice. However, it's not all smooth sailing and there exist lacunae that require immediate attention.

⁶ <https://inc42.com/resources/an-overview-of-consumer-protection-e-commerce-rules/>, last seen on 12-4-24

Except in one chapter the IT Act hardly takes any cognizance of the consumers as an entity. A glaring example of that would be the absence of any real IT service consumer in the cyber.

E-commerce and CPA (2019) in India⁷

1) Product liability: Since the Act defines product to include any goods, services or combination thereof, it is responsibility of the manufacturer, seller or service provider for any harm caused to consumer due to defective product or service. E-commerce platforms have an obligation to ensure that the products sold on their platforms are safe, of good quality and comply with all applicable laws and regulations.

2) Advertising standards: Advertising is regulated by Advertising Standards Council of India (ASCI) and in accordance with its code, advertisements to be truthful, not misleading and not offensive to the public. E-commerce platforms must ensure that advertisements displayed on their platforms comply the said code of self-regulation.

3) Data-privacy and security: Data privacy and security are governed by personal data protection bill that seeks to provide comprehensive framework for the protection of personal data and e-commerce transactions. E-commerce platforms have to ensure that consumers' personal data is collected, processed and stored in compliance with the law.

4) Consumer education: Govt. of India has launched several initiatives to educate consumers about their rights and to create awareness about risks and challenges of e-commerce. National Consumer Helpline provides toll-free number that consumers can call to seek information and guidance on consumer issues. The government has also launched a portal called *Grahak Suvidha Kendra*, which provides information on consumer rights and redressal mechanisms.

5) Payment options: E-commerce platforms in India offer multiple payment options, including credit cards, debit cards, net banking and mobile wallets. These payment options offer convenience to consumers, they also come with certain risks. Consumers must exercise caution while making online payments and ensure that they use a secure payment gateway.

Jurisprudence in E-commerce

1990s promised new horizon in the field of technology and commerce with meteoric rise of the Internet. The corporate sector was engaged in the efforts to put together ease and functional value of proliferation in the trade where new customer bases or business scalability could be reached via the use of the internet. Since it was to be frictionless process spanning international

⁷ <https://www.linkedin.com/pulse/e-commerce-consumer-protection-india-laws-online-shopping?trk=article-ssr>
frontend-pulse_more-articles_related-content-card, last seen on 12-4-24

jurisdictions, there had to be supervisory body that would present some form of regulatory framework. UN Commission on International Trade Law (UNCITRAL) took up this task and gave set of Model Laws for its signatory countries to ratify which was aimed at removing any unnecessary obstacles to international trade. IT Act (2000) and its [Amendment \(2008\)](#) is India's candidate to fulfill its signatory obligations. However, MLEC is a set of model laws that only provide guideline for its signatory countries who can modify and bring in legislation that suits its demographics the best. Although it does often lead to strict and sometimes biased regulations to have to be followed by offshore business entities. India made changes the in [Foreign Direct Investment \(FDI\) policy](#) for e-commerce. Rationale behind this policy change is to protect unorganized / small sellers of the country who cannot economically compete with major e-commerce entities. Earlier, Consumer Protection Act (1986) was replaced by CPA (2019) and implemented 2020 to protect interests of consumers along with timely, effective administration and settlement of consumers disputes.

Notable Case Laws in India

1) Indian Medical Association v. Shantha V. P. and Ors (1996, AIR 550, 1995 SCC (6) 651):

Writ petition was filed by the Association seeking Supreme Court to declare that CPA doesn't apply to medical profession and the Association validated that medical professionals are governed by separate code of ethics. The Court held that District, State and National Consumer Forums can summon experts in the field of medicine, examine evidence and protect the interest of consumers. Doctors and hospitals that render services without any charge would not fall within the ambit of 'service'. In government hospital services are provided free of charge and hence the CPA would not be applied. However, if customers are being provided for free to the poor, then it shall be covered as a service under the act. In case the insurance policy company pays for the treatment on behalf of customer, then it will be covered under the Act. Consumer is having the rights under this Act viz., right to safety, right to be informed, right to choose, right to be heard, right to seek redressal and right to consumer awareness.

2) Sehgal School of Competition v. Dalbir Singh (2009, CPJ 33): Student was asked to deposit lump sum fees of Rs. 18,734 for coaching of medical entrance examination for the next two years and the amount was deposited by him in two complete installments. However, he realized that the quality of coaching institute was not up to the mark and therefore sought refund for remaining period which was refused by the institute. National Commission stated that fees once paid shall not be refunded is an unfair trade practice. It quoted UGC guidelines declaring that even if a student has not attended single class, an amount of Rs. 1000 can get deducted and proportionate

charges for hostel fees and the balance amount could be refunded. State Consumer Forum, mentioned that not just the balance amount of fee, but also higher compensation for legal costs as well as the pain that the student had to undertake, could be availed in such cases.

3) MCX Stock Exchange Ltd. v. Securities and Exchange Board of India (2013: WP no. 213 of 2011): This case pertained to regulation of online trading platforms and their compliance with securities laws. Supreme Court held that online trading platforms must adhere to the regulations set by the Securities and Exchange Board of India to ensure investor protection and market integrity.

4) Amazon Seller Services Pvt. Ltd. v. Love Kumar Sahu & Anr (Appeal No. FA/2018/05):

The case raises questions regarding the legality of seller-determined refund policies in e-commerce and protection of consumers under the IT Act, highlighting the need for consumer confidence and adequate safeguards for growth in the sector.

5) Mohit v. Amazon Seller Service (2018): Complaint was filed to the District Redressal Commission against the service provider claiming that they do not having an adequate grievance redressal mechanism as specified by the Consumer Protection (*e-commerce*) Rules (2020). The Commission ordered the Service provider for payment of one lac INR along with litigation expense of 1100 INR. Further mentioned that if the order is not complied by Service provider then complainant may file execution petition u/s 71 and prosecution u/s 72 of CPA (2019).

6) Anti-Corruption Council of India v. Secretary (2019, WP no. 14866/2019): The plea was submitted by the petitioner to Karnataka High Court that *e-commerce* market is not customer friendly so far as return and refund policies are concerned, and large companies involved in *e-commerce* state in their disclaimer clauses that they will not be liable for damages of any kind. Petition was dismissed on the substance of no public interest was involved in therein.

7) Satavra Bhavana Rameshbhai v. Myntra, *e-commerce* company (2023): The complaint was filed against the *e-commerce* company to the District Redressal Commission for providing empty box that can be held liable u/s 85 of Consumer Protection (*e-commerce*) Rules (2020). Company was found responsible for providing deficiency in service by absolute negligence.

8) Patel Rekhaben Panka v. Harsh Vision Deal (2023): Protection (*e-commerce*) Rules 2020 are clearly made for the better protection of the consumer wherein, under rule 4 duties of *e-commerce* entities and rule 5 liabilities of marketplace *e-commerce* are given. Rule 5 (2) says that every marketplace is the *e-commerce* entity shall require sellers through an undertaking to ensure that descriptions, images and other content pertaining to goods.

Future of e-commerce regulations in India is likely to witness further evolution as the industry

expands. Some key areas that require attention include strengthening consumer dispute resolution mechanisms, cyber-security and data protection, enhancing market competition etc.

Conclusion

An inference that the CPA (2019) and IT Act (2000) with its amendment (2008) has not only been an uncommitted effort to protect consumers but have had noteworthy thoughts and analytical deductions to incorporate various consequences that might be fall consumer and go as far as to even hold foreign business entities accountable, even if they do not have legal presence in India for aggrieving the consumer. Laws cannot be perfect by any standard as they always try to play catch-up with the dynamic field of technology. However, the need of the hour is to not only think ahead but use every day as a new opportunity to manage and strategize the legal crux that arises from development in the field of consumer and e-commerce business. It was most helpful in the recent restraints on the freedom of movement of consumer and ensuing increased dependence on e-commerce courtesy during pandemics.

E-commerce has revolutionized the way consumers shop in India. An obligation to ensure that consumers are protected and consumers must be aware of their rights and take necessary precautions while shopping online. Consumer protection laws have evolved to keep pace with this changing landscape. However, this consecration has not been unadulterated as everyday online scams and unfair trade practices have had consumers reel under the fear of exposing themselves to unscrupulous sellers and service providers. E-commerce rules are far ahead in respect of transparency and lead to a dignified marketplace where consumers are well-informed and have strong checks to curb deceptive and unfair trade practices.

It is obligatory for e-commerce platforms that consumers are protected and they are also aware of their rights and they take all the precautions while shopping online. Sometimes they are hesitant to file a complaint as they think of the lengthy processes and the initiative like *e-dakhil* reduces burden of customer and can file complaint even without hiring lawyer.