

**GOVERNMENT OF INDIA
MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
DEPARTMENT OF CONSUMER AFFAIRS**

**RAJYA SABHA
UNSTARRED QUESTION No. 992
TO BE ANSWERED ON 29.07.2025**

**REGULATION ON SALE OF FOREIGN NATIONAL FLAGS ON E-COMMERCE
PLATFORM**

992. SHRI MANAN KUMAR MISHRA:
(OIH) SMT. KIRAN CHOUDHRY:
SHRI MOKARIYA RAMBHAI:
DR. ANIL SUKHDEORAO BONDE:

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

- (a) whether the sale of foreign national flags, especially of those countries with which the country shares sensitive relations, is regulated under any specific law or guideline applicable to e-commerce platforms;
- (b) whether Government maintains a monitoring mechanism to regularly review sale of flag sensitive or unlawful items on e-commerce platforms; and
- (c) whether any penalties or warnings have been issued to sellers or platforms involved in listing such items?

ANSWER

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

(a) to (c) : Department of Consumer Affairs is continuously working for consumer protection and empowerment of all consumers by enactment of progressive legislations. 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 Consumer Protection Act, 1986 was repealed and Consumer Protection Act, 2019 was enacted.

Salient features of the new Consumer Protection Act, 2019 are establishment of a Central Consumer Protection Authority(CCPA); simplification of the adjudication process in the Consumer Commissions such as enhancing pecuniary jurisdiction of the Consumer Commissions, online filing of complaint from the Consumer Commission having jurisdiction over the place of work/residence of the consumer irrespective of the place of transaction, videoconferencing for 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.

To safeguard the interests of consumers from unfair trade practices in e-commerce, the Department of Consumer Affairs has notified the Consumer Protection (E-commerce) Rules, 2020 under the provisions of the Consumer Protection Act, 2019. 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 consumer grievance redressal.

Under the provisions of the Consumer Protection Act, 2019, the Central Consumer Protection Authority (CCPA), an executive agency, came into existence on 24.07.2020. The Central Consumer Protection Authority (CCPA), established under Section 10 of the Consumer Protection Act, 2019, is empowered to act against violations of consumer rights, including unfair trade practices and misleading advertisements. It is designed to intervene, to prevent consumer detriment arising from unfair trade practices and to initiate class action(s), including the enforcement of recalls, refunds and return of products. Its core mandate is to prevent and regulate false or misleading advertisements which are prejudicial to the public interest.

The CCPA has already issued the Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022 (on 9th June, 2022), the Guidelines for Prevention and Regulation of Dark Patterns, 2023 (on 30th November, 2023), the Guidelines for Prevention and Regulation of Greenwashing and Misleading Environmental Claims, 2024 (effective 15th October 2024) and the Guidelines for Prevention of Misleading Advertisements in the Coaching Sector, 2024 (effective 13th November 2024).

As per the Consumer Protection Act, 2019, 'injury' as defined under Section 2(23) means any harm whatever illegally caused to any person, in body, mind or property. Further, 'deficiency' as defined under Section 2(11) includes any act of negligence or omission or commission by such person which causes loss or injury to the consumer. Furthermore, 'unfair trade practice' as defined under Section 2(47) a trade practice which, for the purpose of promoting the sale, use or supply of any goods or for the provision of any service, adopts any unfair method or unfair or deceptive practice including refusing, after selling goods or rendering services, to take back or withdraw defective goods or to withdraw or discontinue deficient services.

CCPA, under Section 19 of the Consumer Protection Act, is empowered to, upon receiving any information, complaint or directions from the Central Government, or on its own motion, conduct or cause to be conducted a preliminary inquiry to determine whether there exists a prima facie case of violation of consumer rights, unfair trade practices or false or misleading advertisements by any person, which is prejudicial to the public interest or the interests of consumers. If satisfied that such a prima facie case exists, the CCPA shall direct an investigation to be carried out by the Director-General or the District Collector.
